



SECURITY COUNCIL REPORT

MONTHLY FORECAST

DEC 2011



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Overview For December

Russia holds the presidency of the Council in December, a month during which typically there are a record number of mandate renewals and scheduled briefings. Combined with the usual desire to wrap up the Council's work before Christmas, December promises to be a very busy month.

Debates will be held on the **international criminal tribunals for Rwanda (ICTR) and the former Yugoslavia (ICTY)** as well as on **Afghanistan**. The tribunals' debate is likely to be preceded by briefings of the respective tribunals' presidents and chief prosecutors. The debate on Afghanistan is likely to feature a briefing by UNAMA's head, Staffan de Mistura.

Several other briefings are expected on:

- **Libya**, by Special Representative Ian Martin, to be followed by consultations;
- the UN Assistance Mission for Iraq

(UNAMI), by Special Representative Martin Kobler, to be followed by consultations;

- the UN Interim Security Force for Abyei (UNISFA), most likely by Hervé Ladsous, the head of DPKO;
- the experience chairing Council **subsidiary bodies**, by the outgoing ambassadors: Ivan Barbalic (Bosnia and Herzegovina), chair of the Informal Working Group on Documentation and Other Procedural Questions; Maria Luiza Ribeiro Viotti (Brazil), chair of the DRC and Côte d'Ivoire sanctions committees; Noel Nelson Messone (Gabon), chair of the 1636 Committee (related to the assassination of the former Lebanese Prime Minister Rafiq Hariri and 22 others); Nawaf Salam (Lebanon), chair of the Liberia sanctions committee; and U. Joy Ogwu (Nigeria), chair of the 1518 Committee (on Iraq) and of the Working Group on Peacekeeping Operations;

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Libya

Expected Council Action

The Council is likely to remain focused on post-conflict Libya in December as the UN Support Mission in Libya (UNSMIL) deploys to its full capacity. Ian Martin, the Special Representative of the Secretary-General and head of UNSMIL, is expected to brief the Council.

Ambassador José Filipe Moraes Cabral (Portugal) and chair of the Libyan Sanctions Committee is also expected to brief the Council.

The Council is expected to extend UNSMIL's mandate by three months in a technical rollover prior to its expiry on 16 December.

Key Recent Developments

Fighting broke out, on 31 October, between the armed militia from the town of Zintan and Tripoli Brigade. (Tripoli Brigade provided frontline troops during the taking of Colonel Muammar Qaddafi's Bab Al-Azizia compound in Tripoli in late August.) On 13 November, deadly clashes, lasting a few days, between armed groups from Zawiyah and Warshefana led to 13 reported deaths.

On 19 November, Saif Al-Islam Qaddafi, Qaddafi's son and onetime heir-apparent, was captured in southern Libya while trying to flee the country. Media reports, yet to be confirmed by the National Transitional Council (NTC), indicate that Abdullah Al-Senussi, former Intelligence Chief, was arrested in a separate incident the following day. Earlier, on 2 November, the Council

had received its second briefing on Libya from the Prosecutor of the International Criminal Court (ICC), Luis Moreno Ocampo. Moreno-Ocampo said that his office will impartially investigate allegations of crimes committed by NATO and forces aligned with the NTC.

On 22 November, the ICC decided to terminate its case against the late Colonel Qaddafi following his death as Moreno Ocampo travelled to Tripoli to discuss arrangements with the NTC for the respective trials of the two remaining indictees. (The NTC has said it will try Saif Qaddafi in Libya.) On 23 November, the ICC indicated that should Libya wish to prosecute Qaddafi, the NTC would have to submit a challenge to the admissibility of the case

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Overview For December (continued)

- **Burundi**, by the chief of the UN Office in Burundi (BNUB), Karin Lundgren, and the chair of the PBC country specific configuration, Ambassador Paul Seger (Switzerland), to be followed by consultations;
 - **Iran** sanctions, by the sanctions committee chair, Ambassador Néstor Osorio (Colombia);
 - the UN Integrated Peacebuilding Office in the Central African Republic (**BINUCA**), by the Special Representative Margaret Vogt, to be followed by consultations;
 - the **Libya** sanctions, by the sanctions committee chair, Ambassador José Filipe Moraes Cabral (Portugal); to be followed by consultations;
 - the **Middle East**, by the head of DPA, B. Lynn Pascoe, to be followed by consultations;
 - **Sudan**, by the ICC Prosecutor, Luis Moreno Ocampo, to be followed by a private meeting;
 - **Somalia**, to be followed by consultations.
- Briefings in consultations are expected to be held on:
- the UN Peacekeeping Force in Cyprus (**UNFICYP**), by Special Representative Lisa Buttenheim;
 - **Liberia** sanctions, by the sanctions committee chair, Ambassador Nawaf Salam (Lebanon);
 - the UN Disengagement Observer Force (**UNDOF**) in the Golan Heights, most likely by Edmond Mulet of DPKO.
 - **Sudan** sanctions, by the sanctions committee chair, Ambassador Néstor Osorio (Colombia);
 - **Iraq-Kuwait** missing persons and property, by the High-Level Coordinator Gennady Tarasov;
 - the work of the UN Regional Centre for Preventive Diplomacy for Central Asia (**UNRCCA**) by its head, Miroslav Jenca;
- and
- most likely on issues of concern, by the head of DPA, B. Lynn Pascoe.
- Formal sessions are expected to adopt resolutions on the:
- Renewal of the **Liberia** sanctions
 - Renewal of the mandate of the operation in Libya (**UNSMIL**)
 - Renewal of the operation in Cyprus (**UNFICYP**)
 - Renewal of the mandate of the office in Guinea-Bissau (**UNIOGBIS**)
 - Renewal of the mandate of the operation in Abyei (**UNISFA**)
 - Renewal of the mandate of the operation in the Golan Heights (**UNDOF**)
 - Extension of terms of judges of the **ICTR and possibly ICTY**
 - Renewal of the mandate of the office in Burundi (**BNUB**)
 - Possibly sanctions on **Eritrea**

Status Update since our November Forecast

- **Counter-terrorism**: On 5 November, the Council issued a press statement in which it condemned the 4 November terrorist attacks, which killed or injured numerous people in Dammaturu and Potiskum, Nigeria (SC/10437). On 14 November, the chairs of the three counter-terrorism committees—the 1267/1989 Committee, the 1373 Committee and the 1540 Committee—briefed the Council, followed by a debate (S/PV.6658). During the briefing, the chair of the 1540 Committee, Ambassador Baso Sangqu (South Africa), emphasised the importance of coordination and cooperation among the three committees and their expert groups.
- **Democratic Republic of the Congo**: On 8 November, the Council was briefed by Roger Meece, Special Representative of the Secretary-General for the DRC and head of MONUSCO, and Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, on the situation in the DRC (S/PV.6649). Following the briefing, the Council issued a press statement (SC/10441) expressing deep concern about the persistent high levels of violence, especially sexual violence, and human rights violations and abuses against civilians. The Council also reiterated the DRC government's primary responsibility in ensuring that the 28 November presidential and national assembly elections are both credible and peaceful. On 21 November, Ambassador Maria Luiza Ribeiro Viotti (Brazil) briefed the Council as chair of the DRC Sanctions Committee. On 29 November, the Council renewed the DRC sanctions regime and the mandate of the Group of Experts for a period of 12 months (S/RES/2021).
- **Protection of Civilians**: On 9 November, the Council held its biannual debate on protection of civilians in armed conflict (S/PV.6650 and Resumption 1). It was chaired by Portuguese President Aníbal Cavaco Silva and featured briefings by the Secretary-General, High Commissioner for Human Rights Navanethem Pillay, Under-Secretary-General for Humanitarian Affairs Catherine Bragg and Philip Spoerri, the Director for International Law and Cooperation at the International Committee of the Red Cross. In addition to Council members, more than 25 member states participated. There was no outcome. In preparation of the debate, Portugal in cooperation with the Office for the Coordination of Humanitarian Affairs (OCHA) organised a workshop on 1 November, entitled "Accountability and Fact-Finding Mechanisms for Violations of International Humanitarian Law and Human Rights Law: The Role of the Security Council—Past and Future".
- **International Court of Justice**: On 10 November, the Security Council, independently from, but concurrently with, the General Assembly, elected four judges to the ICJ for nine-year terms, beginning on 6 February 2012 (S/PV.6651, 6652, 6653, 6654 and 6655). Out of a list of eight candidates, the Council elected Giorgio Gaja (Italy); Hisashi Owada (Japan); Peter Tomka (Slovakia); and Xue Hanqin (China). Both bodies failed to elect a fifth judge, as Abdul G. Koroma (Sierra Leone) received the required majority in the Council, while Julia Sebutinde (Uganda), received the required majority in the General Assembly. On 22 November, the Council and the General Assembly convened again to fill the fifth vacant spot on the ICJ. Yet, the Council and the General Assembly failed to fill the fifth spot as the Council repeatedly elected Koroma and the General Assembly continued to choose Sebutinde. A meeting for further balloting has yet to be scheduled.
- **Israel/Palestine**: On 11 November, the Security Council's standing Committee on Admission of New Members transmitted its report to the Security Council (S/2011/705) on Palestine's application for UN membership. The report indicated

that the Committee had concluded its work but was unable to reach a unanimous recommendation. At press time, the Council had not taken any decision on the application. On 21 November, Robert Serry, UN Special Coordinator on the Middle East Peace Process, briefed the Council (S/PV.6662). Serry reported on recent diplomatic activity by the Quartet to restart direct peace talks and emphasised that without a credible process the two-state solution could not be taken for granted.

- **LRA/UNOCA:** On 14 November, the Council heard a briefing (S/PV.6657) from the Secretary-General's Special Representative for Central Africa and head of UNOCA, Abou Moussa, on the first report of the Secretary-General on UNOCA (S/2011/704) and the report of the Secretary-General on the Lord's Resistance Army (LRA)-affected areas (S/2011/693) pursuant to Security Council press statement. The Secretary-General of the Economic Community of Central African States and the Permanent Observer of the AU to the UN also addressed the Council. Following the meeting, the Council adopted a presidential statement (S/PRST/2011/21) demanding an immediate end to all attacks by the LRA, and commending the AU's efforts to regionally engage the LRA issue, including through its efforts to establish a regional task force, a joint operations centre and a joint coordination mechanism. It further called on the AU to promptly appoint a special envoy for the LRA-affected areas (Francisco Caetano José Madeira was appointed as the AU Special Envoy on the LRA on 23 November). The Council requested that the Secretary-General keep it informed on LRA-related developments in a single report on the LRA and UNOCA, to be submitted by 31 May 2012.

- **Myanmar:** On 14 November, Council members were briefed in informal consultations by the Special Adviser to the Secretary-General, Vijay Nambiar, on political developments and the launch of a political transition open to the opposition, including to Aung San Suu Kyi's party in Myanmar. (Nambiar had just returned from an early November visit to the country where he met with Aung San Suu Kyi and several high-ranking government officials, including Vice President U Tin Aung Myint Oo, Foreign Minister U Wunna Maung Lwin, as well as with

representatives from opposition parties and civil society.)

- **Bosnia and Herzegovina:** On 15 November, the Council was briefed (S/PV.6659) by High Representative for Bosnia and Herzegovina Valentin Inzko who reported that there was still a need for his office to remain in place, and that given the continued negative trends and political instability, it was essential for EUFOR to remain in place. The Council met (S/PV.6661) again on 16 November to authorise a one year extension of EUFOR's mandate (S/RES/2019). On 3 November, the Council received the most recent report on the implementation of the peace agreement on Bosnia and Herzegovina (S/2011/682).
- **DPRK (North Korea):** On 16 November, the chair of the DPRK Sanctions Committee (1718 Committee) Ambassador José Filipe Moraes Cabral (Portugal), provided a regular briefing to Council members in informal consultations. The midterm report of the Panel of Experts, which supports the Committee, was submitted to the Committee in November and it will consider the report in a meeting in early December before it is presented to the Council (prior to 12 December).
- **Timor-Leste:** On 22 November, the Council held a debate on Timor-Leste (S/PV.6664). Timor-Leste's Foreign Minister Zacarias Albano da Costa participated in the debate as did seven other UN members at large. Ameerah Haq, the Special Representative of the Secretary-General and head of UNMIT, briefed the Council and introduced the Secretary-General's latest report. Haq said that next year's elections were "widely expected to lead to a peaceful transition to a new Government in Timor-Leste by the third quarter of 2012." Noting that the overall trend in Timor-Leste was positive, Haq encouraged international partners to show commitment to Timor-Leste by sending observers for the elections and providing financial support. Albano da Costa said that there were positive signs that political leaders on all sides in Timor-Leste were committed to promoting peace and defending the democratic values of liberty and tolerance. He said that that climate must continue to prevail as UNMIT draws down at the end of 2012.
- **New Challenges to International Peace and Security:** On 23 November, the Council held a high-level briefing (S/PV.6668) on a number of inter-related issues constituting "New Challenges to

International Peace and Security". This was the first time that the Council addressed these "new challenges" together rather than as separate issues, under the rubric of maintenance of international peace and security. The Secretary General, as well as Portugal's Foreign Minister Paulo Portas, Executive Director of the UN Office on Drugs and Crime (UNODC) Yuri Fedotov, UN High Commissioner for Refugees (UNHCR) António Guterres and Margaret Chan, the Director-General of the World Health Organisation (WHO) and other high-level participants, all briefed the Council. While there was general agreement that the issues under consideration were salient, there was disagreement about whether the Council was the appropriate forum to deal with some of the issues, in particular climate change. No action was taken.

- **Yemen:** On 28 November, Special Adviser Jamal Benomar and Philippe Lazzarini of OCHA briefed Council members in informal consultations on the situation in Yemen. (The briefing had previously been scheduled for 21 November but was postponed due to political developments. On 23 November, Yemeni President Ali Abdullah Saleh signed the Gulf Cooperation Council (GCC) initiative agreeing to transfer power within 30 days to Vice President Abdrabuh Mansour Hadi.) After the briefing, the Security Council issued a press statement welcoming the signing of the GCC initiative, supporting elections within 90 days, urging all parties to reject violence and calling for humanitarian access (SC/10460). Members of the Council expect a further update on the situation within 30 days.
- **Kosovo:** The Council held a debate on 29 November on the situation in Kosovo. The Council was briefed (S/PV.6670) by the head of UNMIK, Farid Zarif, who presented the most recent report of the Secretary-General on Kosovo (S/2011/675), which covered the period of 16 July to 15 October. Both Serbian Foreign Minister Vuk Jeremić and Enver Hoxhaj, Foreign Minister of Kosovo, participated in the debate. Several Council members expressed grave concern at the violence in northern Kosovo in recent months, including the clashes on 28 November which resulted in the shooting and wounding of two NATO soldiers and the injuring of more than 20 others. Council members called on both parties

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Status Update since our November Forecast (continued)

to exercise restraint as they sought a peaceful resolution to the dispute. (Officials from Belgrade and Pristina were to have met in Brussels for a new round of talks on 30 November.)

- **Lebanon:** On 29 November, Assistant Secretary-General for Political Affairs, Oscar Fernández-Taranco, and Assistant Secretary-General for Peacekeeping, Edmond Mulet, briefed Council members in informal consultations on the Secretary-General's most recent report on the implementation of resolution 1701 (S/2011/715). The report portrayed the situation in southern Lebanon, where UNIFIL operates, as relatively stable. However, early in the morning on 29 November and subsequent to the report's distribution, four rockets were launched from southern Lebanon into

northern Israel. Israel returned fire. UNIFIL deployed extra patrols while the IDF went on full alert but at press time the situation had not escalated further and there was no expected response from the Council to this incident.

- **Working Methods:** At press time the Council was set to hold an open debate on 30 November on Security Council working methods and the implementation of last year's presidential note (S/2010/507). As chair of the Council's informal working group on working methods, Bosnia and Herzegovina was expected to provide a summary of the group's work. As with the last open debate on working methods in April 2010, there was considerable interest among UN members at large in participating in the open debate and

approximately 25 states were on the list of speakers. The focus during the open debate was to have been the implementation of presidential note 507, which is seen by many states as unsatisfactory. Several participants in the open debate were expected to emphasise that improvement of Council working methods was a separate issue from Council enlargement and that there was widespread agreement for the need for further progress. Issues which participants were expected to raise included greater Council openness through more public briefings and debates, transparency, efficiency and enhanced interaction with non-members and parties with a legitimate stake in Council deliberations.

Libya (continued)

before Pre-Trial Chamber I as any "decision on the admissibility of a case is under the sole competence of the Judges of the ICC".

On 31 October, the NTC appointed Abdul Rahim Keib as the new interim Prime Minister. On 2 November, Secretary-General Ban Ki-moon and Nassir Abdulaziz Al-Nasser, President of the General Assembly, made an unannounced visit to Tripoli. They met with senior NTC members, including Mustafa Abdul Jalil, the NTC's chairperson. In their meetings, Ban discussed the formation of an inclusive interim government and pledged the UN's continued support to assist Libya. On 11 November, Ban briefed the Council on his visit to Tripoli.

On 16 November, Mahmoud Jibril, former NTC Prime Minister, said that there was a dangerous political vacuum in Libya. Jibril said the current timetable for drafting a constitution by mid-2013 should be replaced with a faster process. (According to a timetable agreed by the NTC in August, a transitional government is to organise the election of a 200-member assembly or "general national congress" within eight months from liberation day, 23 October. The NTC will step down once the congress holds its first session. The congress will then have up to 30 days to name a prime minister, whose newly formed government will be put to a confidence vote and form a commission to draw up a constitution. One month later, the constitution will be put to a referendum. If it is adopted, the congress

will have 30 days to draw up an electoral law, and polls are to be held within six months. The congress will have 30 days to approve the results of the election and to convene an elected parliament, formally ending the transition period.)

The NTC announced a new cabinet for the provisional government on 22 November. Most members of the new government took oath on 26 November. Ashour Bin Hayal was named as the new Foreign Minister, whereas, Osama Al-Juwali, commander of the Zintan forces who captured Saif Qaddafi, was appointed as the Defence Minister.

On 31 October, the Council unanimously adopted resolution 2017 on the non-proliferation of arms, in particular Surface-to-Air Missiles (SAMs) stolen from the arsenal of the former regime. The resolution also notes the threat from chemical weapons stockpiles and other small arms.

On 18 November, Libya was reinstated as a member of the Human Rights Council (HRC) after a ballot in the General Assembly. (Libya is the only member of the HRC that has ever been suspended for human rights violations.)

Martin, in a briefing to the Council on 28 November noted that security was an immediate challenge and that Libya's urgent need for liquid funds was directly connected to the provision of security. Martin also cited proliferation of SAMs and other arms as a concern. He noted that on 20 November the NTC officially appointed an eight-member committee to study the

requirements of elections in Libya. He concluded the briefing by highlighting the Secretary-General's recommendation of UNSMIL's mandate renewal for another three months.

On 11 November, President Mahamadou Issoufou of Niger confirmed that Saadi Qaddafi, the late Qaddafi's third son, had been granted asylum on humanitarian grounds. The INTERPOL had issued a Red Notice on 29 September to locate and arrest Saadi Qaddafi, the first of its kind issued on the request of the Libyan transitional authorities. Earlier, on 8 November, a Tunisian appeals court approved the extradition of former Prime Minister Al-Baghdadi Al-Mahmoudi, who had entered Tunisia on 22 September. The NTC had requested the Tunisian government to return Al-Mahmoudi to Libya to be tried. (Saadi Qaddafi and Al-Mahmoudi are not on the ICC arrest list.)

On 13 November, Arab League Secretary-General Nabil Al-Arabi met with Jalil in Tripoli and discussed means of supporting Libya in a post-Qaddafi era.

On 16 November, Jean Ping, Chairperson of the AU Commission, issued an open letter highlighting the AU's efforts in resolving the Libyan crisis since its beginning in February 2011. Ping rejected reports that the AU's actions in Libya were motivated by a desire to protect the late Qaddafi.

On 21 November, US Ambassador Susan Rice visited Tripoli where she held meetings with Jalil, Keib and Martin.

Human Rights-Related Developments

In a statement during the Human Rights Council's 9 November open debate on the Protection of Civilians in Armed Conflict, the High Commissioner for Human Rights, Navi Pillay, reported that her office had held initial discussions on transitional justice with the new Libyan authorities and would continue its engagement through UNSMIL. Pillay added that given the seriousness and extent of the crimes committed in the past, the need for protecting human rights in the administration of transitional justice is colossal and pressing. The High Commissioner also reported that the International Commission of Inquiry on Libya would continue to investigate alleged violations by all sides until it presents its final report to the Human Rights Council in March. An advance team began work in Libya at the end of October, with the Commission itself scheduled to arrive in Libya in early December. Pillay also observed that where basic human rights are trampled and peaceful demands for change are met by brutal violence, people are eventually compelled to have recourse to rebellion against tyranny and oppression.

Developments in the Libya Sanctions Committee

Resolution 2017 asks the Committee to work with the panel of experts and the Counter-Terrorism Executive Directorate (CTED) and other UN bodies to assess threats and challenges created by the proliferation of arms from Libya and to provide the Council with proposals to counter the threat.

The Committee is next expected to meet in December and the chair of the Committee is expected to brief the Council later in the month.

Key Issues

A key issue for the Council is its role in ensuring a transition from conflict to peace-building in Libya and preventing large-scale reprisals and killings in a post-conflict Libya. Determining the role and timeframe for UNSMIL and ensuring its full deployment as well as effective functioning are key related issues for the Council.

Another key issue for the Council is its role in the implementation of resolution 1970 with regards to its referral of the Libyan

situation to the ICC and any referral-related trials.

Preventing the spread of sporadic violence between various armed rebel factions as well as divisions within the NTC before the interim government is fully functional is an important issue for the Council.

The prevention of proliferation of heavy weaponry in a post-conflict Libya continues to be an issue for Council members.

Minimising the impact of the recent conflict and its aftermath on the civilian population and the delivery of humanitarian assistance are two further closely related issues for the Council.

Another issue is the need for the continued coordination of efforts of various stakeholders and other international bodies in supporting the NTC and the interim government.

Options

The Council's options for UNSMIL could be either extending UNSMIL's mandate through a technical rollover or adjusting UNSMIL's current mandate in accordance with the needs of the new interim government. In addition, the Council could continue to receive regular briefings on UNSMIL and the new interim government to keep abreast of the key developments in Libya.

The Council, with regards to the ICC, could request an up-to-date briefing from Moreno Ocampo, or more pointedly but less likely, by reminding Libya of its obligations under resolution 1970 and the Rome Statute of the ICC.

The Council could revisit any outstanding sanctions imposed on Libya and alter these by a new resolution(s) in due course.

The Council could consider further measures on weapons proliferation after its next briefing from the sanctions committee, in particular on SAMs.

Council Dynamics

During the P5 discussions concerning the draft of resolution 2017, the situation in Libya was initially seen as a Chapter VII matter by some P5 members. That was disputed by other P5 members, who deemed Chapter VII inclusion unnecessary as it calls for sanctions in the case of non-compliance of parties involved. Moreover, the initial draft proposed by Russia, expanded considerably to take stock of inputs from various members, including language on the need to eliminate chemical weapons stockpiles, greater emphasis on

the regional implications of this threat and more specific language on Libya's obligations under international law. Interest from other Council members in highlighting the proliferation of small arms and light weapons as an issue of concern was also included in the resolution.

Furthermore, Germany feels that the panel of experts should report directly to the Security Council and not—as provided in resolution 2017—through the Sanctions Committee. Direct reporting, Germany indicates, will preserve the independence of such panels.

Most Council members seem content to take a comfortable distance on the issue of where the ICC indictees should be tried, notwithstanding the fact that the ICC only became seized of the situation in Libya due to a Council referral.

Resolutions 1970 and 1973, as well as the no-fly-zone, generated much heated debate amongst Council members. This issue continues to be a source of contention extending to other items on the agenda of the Council as some Council members felt that other members, wrongly, took it upon themselves to use military force. Notwithstanding these differences, the Council is likely to focus on assisting the electoral process and the establishment of new institutions given the recent developments.

The UK is the lead country on Libya.

UN Documents

Security Council Resolutions

- S/RES/2017 (31 October 2011) discusses the non-proliferation of SAMs, Chemical weapons stockpiles and other small arms.
- S/RES/2016 (27 October 2011) lifted the no-fly zone and the provisions for the use of force for the protection of civilians.
- S/RES/2009 (16 September 2011) authorised the deployment of UNSMIL and partially lifted sanctions.
- S/RES/1973 (17 March 2011) authorised all necessary measures to protect civilians in Libya and enforce the arms embargo, imposed a no-fly zone, strengthened the sanctions

regime and established a panel of experts.

- S/RES/1970 (26 February 2011) referred the situation in Libya to the ICC, imposed an arms embargo and targeted sanctions and established a sanctions committee.

Security-General's Report

- S/2011/727 (22 November 2011) was an update report on UNSMIL.

Latest Meeting Record

- S/PV.6669 (28 November 2011)

Other Relevant Facts

Chair of the Sanctions Committee

Ambassador José Filipe Moraes Cabral (Portugal)

Sanctions Committee's Panel of Experts

- Youseif Fahed Ahmed Alserhan, Jordan (maritime)
- Oumar Dièye Sidi, Niger (customs)
- Simon Dilloway, UK (finance)
- Theodore M. Murphy, US (humanitarian and regional)
- Giovanna Perri, Italy (finance)
- Salim Raad, Lebanon (heavy weapons)
- Savannah de Tessières, France (small arms and light weapons)
- Ahmed Zerhouni, Algeria (aviation)

Head of UNSMIL

Ian Martin (UK)

Sudan and South Sudan

Expected Council Action

The Council expects to receive a briefing and hold consultations in December on the most recent report of the Secretary-General on the UN Interim Security Force in Abyei (UNISFA), which was due on 27 November but had not been officially released at press time. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, is expected to brief the Council. It is also possible that Lt. General Tadesse Werede Tesfay, the UNISFA Force Commander, will brief as well via videoconferencing. The Council is likely to renew the mandate of UNISFA, which expires on 27 December.

The fluid situation in many parts of Sudan and South Sudan, especially in regions along their shared border, will be on the minds of Council members and may prompt the Council to hold additional

meetings during the month. Council members may likewise continue to negotiate a draft statement that was circulated in November that addresses the recent aerial bombings in Upper Nile and Unity states by Sudan and violations of the UN Mission in South Sudan (UNMISS) status of forces agreement by South Sudan. It is unclear, however, if and when the statement will be adopted.

Key Recent Developments

On 3 November, Sudanese Armed Forces (SAF) seized Kurmuk in Blue Nile state, a stronghold of the rebel Sudan Peoples' Liberation Movement-North (SPLM-N). Yasir Arman, the SPLM-N Secretary-General, vowed that the group would continue to fight against the SAF, referring to the defeat as one battle in a larger war.

During November, Sudan and South Sudan submitted several letters to the Council accusing each other of supporting rebel groups on the other's territory. On 4 November, Sudan sent a letter to the president of the Council in which it accused South Sudan of supporting insurgents in Blue Nile state. Among its accusations, the letter said that South Sudan continued to provide rebels in Blue Nile with ammunition, tanks, mines, grenade launchers, anti-tank artillery and troops. South Sudan submitted a letter to the Council on 11 November in which it denied it was providing support to rebel groups in South Kordofan and Blue Nile and accused Khartoum of "fighting a proxy war" against it by supporting rebel groups there. On 14 November, Sudan sent another letter to the Council claiming that the government of South Sudan had "facilitated and hosted" meetings in Juba and Yei for representatives of several insurgent groups, including the Justice and Equality Movement, the Sudan Liberation Movement-Mini Minawi, the Sudan Liberation Movement-Abdul Wahid and the SPLM-N.

The Council issued a press statement on the situation in Abyei on 4 November. In the statement, the Council encouraged UNISFA to increase its patrols and air mobility. It also called on Sudan and South Sudan to withdraw their forces from Abyei immediately and without preconditions and to finalise the establishment of the Abyei Area Administration. The Council further expressed its willingness to consider additional mandated tasks for UNISFA in the statement, including support for border-monitoring assistance. However, it urged the parties to honour prior commitments concerning Abyei.

Between 30 October and 6 November, Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, visited Sudan and South Sudan, making stops in Khartoum, Darfur, Abyei and Juba. Ladsous noted that while in Abyei he had been struck by the property damage that had resulted from the SAF invasion earlier in the year but was impressed by the progress that had been made by UNISFA, which had rebuilt the Banton bridge. The bridge should help facilitate the return of displaced persons and improve humanitarian access.

Media reports indicated that the SAF conducted cross-border attacks on South Sudan's Upper Nile and Unity states between 8 November and 11 November. On 8 November, an aerial raid in Guffa in Upper Nile state reportedly occurred. On 10 November, the Yida refugee camp in Unity state was bombed, with two bombs apparently landing in the camp and two outside it. On 10-11 November, fighting was reported in Manyo county in Upper Nile state, with personnel from UNMISS helping to evacuate the wounded.

On 10 November, Special Envoy for Sudan and South Sudan Haile Menkerios briefed the Council in closed consultations. Menkerios focused his remarks on negotiations on the unresolved Comprehensive Peace Agreement (CPA) issues and tensions between the parties in Abyei, Blue Nile, and South Kordofan. Menkerios said that the many unresolved CPA issues—including border demarcation, oil revenue-sharing, the status of Abyei and the popular consultations in South Kordofan and Blue Nile—remain a critical source of friction between Sudan and South Sudan. He noted that both Sudanese and South Sudanese troops remained in Abyei, which made it difficult for UNISFA to conduct its mandated tasks, for the Misseriya tribe to undertake its annual migration and for displaced individuals to return home. He also said that both sides continued to build up their military presence along their shared border and that the violence in Blue Nile and South Kordofan could draw the two states into direct confrontation.

On 11 November, the Council resumed the briefing on Sudan and South Sudan, this time in public. (It appears that some Council members requested that the briefing be held in the open.) During the meeting, Ladsous read the remarks that Menkerios had delivered the previous day. Ladsous also spoke about his recent visit to Sudan

and South Sudan. He said that he urged the parties to seek a peaceful solution to the challenges dividing them but expressed concern that the recent cross-border incursions by Sudan in Unity and Upper Nile heightened tensions between the two countries. He said that Sudan accused South Sudan of supporting rebels in Blue Nile and South Kordofan, while South Sudan accused Sudan of supporting rebels in the South. He noted that Sudanese President Omar al-Bashir had indicated that the SAF would leave Abyei once the Abyei Area Administration had been established.

Hilde Johnson, head of UNMISS, briefed as well (via video-conferencing). She said that UNMISS was in the process of confirming the reported 8 November bombings in Guffa and Yaffa in Upper Nile and the Office of the UN High Commissioner for Refugees (UNHCR) had confirmed that the SAF had bombed the Yida refugee camp in Unity. She also mentioned that Sudan People's Liberation Army (SPLA) spokesperson Philip Aguer had reported an attack on 10-11 November on an SPLA base in Kuek in Upper Nile state that he alleged had left 18 dead and 73 wounded.

Representatives from Sudan and South Sudan addressed the Council after Johnson. Sudan's permanent representative, Daffa-All Elhag Ali Osman, denied that Sudan had launched cross-border attacks on South Sudan and noted the alliance between rebel groups from Darfur, Blue Nile and South Kordofan that had been made at Kauda. South Sudan's acting permanent representative, David Buom Choat, said that his country was very concerned about the deteriorating security situation along the Sudan-South Sudan border, while calling on Sudan to cease military activities in South Sudan.

On 15 November, the Council held a briefing followed by closed consultations on the Secretary-General's most recent report on UNMISS. During the briefing, Ladsous confirmed that more than four bombs were dropped on Guffa on 8 November. He also said that four bombs were dropped on Yida on 10 November; according to eyewitnesses, they came from an Antonov plane flying from Sudan. While confirming that fighting took place in Manyo county in Upper Nile, he could not confirm claims that there had been incursions by ground forces across the Sudan-South Sudan border.

Human Rights-Related Developments

Addressing the Council as part of the open debate on the Protection of Civilians in Armed Conflicts on 9 November, High Commissioner for Human Rights Navi Pillay reported that violent clashes in South Sudan between heavily armed communities and a resurgence of armed activity by rebel factions were undermining the nation's stability and posed a serious threat to civilians. She added that in order to stop the cycle of violent reprisals, the government needed more support to better control small arms and prosecute serious violators. Pillay furthermore referred to the Council's mandate last June requesting the Secretary-General to ensure effective human rights monitoring of the situation in Abyei. Pillay lamented that, despite her office's repeated requests, access to Abyei had been denied. In the absence of UN human rights officials in Southern Kordofan and Blue Nile State, effective monitoring was unachievable.

Key Issues

A key issue is the fact that neither of the two parties has withdrawn its troops from Abyei, in contravention of the 30 July agreement. (Sudan has indicated that it will withdraw its forces from Abyei once the Abyei Area Administration is formed, while South Sudan has indicated that it is prepared to redeploy its forces from the region if Sudan does so without conditions.)

A related key issue is whether displaced persons returning to Abyei will hinder the annual migration of the Misseriya tribe southward through Abyei. (The Misseriya tribe is generally sympathetic to the government in Khartoum, while many of the residents of Abyei who have been displaced are supportive of South Sudan.) This could potentially lead to violence, which could escalate due to the continuing presence of forces from Sudan and South Sudan in the region.

A further key issue is the difficulty for Council members to obtain clear and timely information about the situation in the border regions of Sudan and South Sudan.

Underlying Problems

It is becoming increasingly difficult for the Council to address the complex and interconnected political and humanitarian challenges along the border of Sudan and South Sudan given the tension between the parties and their apparent unwillingness to



honour prior agreements. Furthermore, the lack of progress on resolving several core issues of the CPA—the status of Abyei, oil wealth-sharing and border demarcation, among others—seems to both reflect and exacerbate the distrust tainting the relationship between them.

Options

Options for the Council regarding the renewal of UNISFA's mandate include:

- renewing the mandate of UNISFA without changes;
- adding border-monitoring support tasks to the mandate; and
- reiterating key messages from the 4 November press statement, including the need for the parties to withdraw their forces from Abyei and establish the Abyei Area Administration.

Another option is for the Council to request a briefing from Thabo Mbeki, the head of the AU High-Level Implementation Panel, regarding progress on the negotiations about the creation of the Abyei Area Administration, as well as on other residual CPA issues that the panel is helping to resolve. The Council may also consider requesting a briefing from Mbeki, Menkerios, Johnson, and Ibrahim Gambari, the head of UNAMID, in order to explore ideas for a more holistic approach to Sudan-South Sudan issues.

An additional option for the Council is to request the Secretary-General to launch a fact-finding mission to conduct a thorough investigation of the bombings in Upper Nile and Unity states, as well as the recent ground combat in Kuek, Upper Nile.

Council Dynamics

It seems that Council members are extremely concerned with the recent violence in the regions along the Sudan and South Sudan border. There are likewise fears among some Council members that violence like that which occurred in Unity and Upper Nile states in November could draw the two parties back into war. There is a sense among many Council members that the Council needs to respond to the incursions in these two areas. However, some members of the Council seem to be concerned about what they perceive as a lack of clarity regarding the information they have been provided about these events.

Council members appear to be in favour of renewing the mandate of UNISFA. However, it is not clear whether the renewal will include a border-monitoring support role for the mission. While there appears to be broad support on the Council for according the mission with this additional role, there are differences of opinion regarding whether the current situation on the ground would allow for it. One perspective on the Council is that it is important that a border monitoring support mechanism be in place as soon as possible to help curtail violence in the border regions. However, some members remain concerned that neither party has honoured their agreement to withdraw their troops from the region. Some members also seem to believe that it will be difficult for UNISFA to carry out a border-monitoring support role until the mission is closer to full deployment. (As of 31 October, 2,812 troops and 80 military observers had been deployed; the mission has a mandate for a maximum of 4,200 military personnel.)

UN Documents

Security Council Resolution

- S/RES/1990 (27 June 2011) established UNISFA.

Meeting Record

- S/PV.6656 (11 November 2011) was a briefing on the situation in Sudan and South Sudan.

Letters

- S/2011/714 (14 November 2011) and S/2011/691 (4 November 2011) were letters from the permanent representative of Sudan to the Council.
- S/2011/708 (11 November 2011) was from the acting permanent representative of South Sudan to the Council.
- S/2011/511 (9 August 2011) and S/2011/510 (5 August 2011) were between the President of the Council and the Secretary-General on the UNISFA reconnaissance mission regarding border arrangements in Abyei.

Press Statement

- SC/10436 (4 November 2011) was a Council press statement on Abyei.

Other Relevant Facts

Special Envoy of the Secretary-General on Sudan and South Sudan

Haile Menkerios (South Africa)

UNISFA: Force Commander and Head of Mission

Lt. Gen. Tadesse Werede Tesfay (Ethiopia)

UNISFA: Size, Composition and Duration

Maximum authorised strength: up to 4,200 military and 50 police
Deployment as of 31 October: 2,892 total uniformed personnel
Troop contributor: Ethiopia
Duration: 27 June to present; mandate expires 27 December

Sudan/Darfur

Expected Council Action

In December, the Council is scheduled to receive a biannual briefing from the Prosecutor of the International Criminal Court (ICC), Luis Moreno Ocampo, on the court's work in Sudan. The Prosecutor is expected to deliver his report in a public meeting of the Council, followed by a private meeting. A briefing by the chair of the Sudan Sanctions Committee in consultations is also likely.

It is also possible that the wider political and security challenges in Darfur (and their relationship to events unfolding in other parts of Sudan) may be discussed as well.

Key Recent Developments

Ocampo last briefed the Council on the work of the ICC in Sudan on 8 June. During that briefing, he noted that crimes against humanity and genocide had continued unabated in Darfur, citing attacks on the Fur, Massalit and Zaghawa ethnic groups. He added that the current governor of Southern Kordofan, Ahmad Harun, who has been indicted by the ICC, was a good example of the consequences of ignoring information about serious crimes, saying that in the 1990s Harun used local militia to attack civilians in the Nuba Mountains in South Kordofan and used the same tactics between 2003 and 2005 in Darfur.

On 14 and 15 October, Sudanese President Omar al-Bashir visited Malawi for a summit of the Common Market for Eastern and Southern Africa. Although a State Party to the Rome Statute of the ICC, Malawi refused to apprehend Bashir, who has been indicted by the court for war crimes, crimes against humanity and genocide in Darfur. After the visit, in response to an ICC request that Malawi explain its rationale for not arresting Bashir, Malawi submitted a statement in which it indicated that it could not do so because it is a member of the AU, which has passed a resolution prohibiting the arrest of sitting heads of state from countries, such as Sudan, that have not

acceded to the Rome Statute. (Given the binding nature of resolution 1593, through which the council referred the situation in Darfur to the ICC, adherence to the AU's resolution in this instance contradicts Article 103 of the UN Charter, which states that member states' obligations to the Charter should override commitments to other international agreements. It should also be noted that in recent years, other states that are party to the Rome Statute, including Chad, Djibouti and Kenya, have failed to arrest Bashir when he was in their territory.)

The High Court of Kenya issued an arrest warrant for Bashir on 28 November in accordance with the ICC indictment. In response, the Sudanese government demanded that the Kenyan ambassador depart Sudan within 72 hours. Moses Wetangula, Kenya's Foreign Minister, has expressed the Kenyan government's intention to appeal the decision.

The chair of the Sudan Sanctions Committee, which focuses on Darfur, last briefed the Council on 29 September. Concerns appear to have been raised during the meeting about the flow of arms and the continued fighting in the region. Since the beginning of October, new appointments have been made to all five positions in the Committee's panel of experts.

In October and November, there were two separate deadly attacks on personnel of the AU/UN Hybrid Operation in Darfur (UNAMID). On 10 October, two Rwandan soldiers and a Senegalese police advisor were killed and five Rwandan troops and one Gambian soldier were wounded when they were ambushed by an unidentified group while patrolling near a camp for internally displaced persons near El Fasher in north Darfur. On 6 November, one Sierra Leonean peacekeeper was killed and one Sierra Leonean peacekeeper was wounded when they were attacked while on patrol near Nyala in south Darfur.

Between 30 October and 6 November, Hervé Ladsous, Under-Secretary-General for Peacekeeping, visited Sudan and South Sudan, making stops in Khartoum, Darfur, Abyei and Juba. Ladsous's visit to UNAMID was his first to a UN peacekeeping mission as the head of the Department of Peacekeeping Operations. During his trip to Darfur, he spoke with several local officials, civil society representatives and UNAMID staff, emphasising that the peace process in Darfur should be inclusive and be led by Darfurians.

On 11 November, the Justice and Equality Movement (JEM), the Sudan Liberation Army-Abdul Wahid (SLA-AW), the Sudan Liberation Army-Minni Minnawi (SLA-MM) and the Sudan Peoples' Liberation Movement-North (SPLM-N) formed a military and political alliance called the Sudan Revolutionary Front (SRF). The primary aim of the SRF is to overthrow the government in Khartoum, according to a joint communiqué issued by the SRF on 11 November.

On 15 and 16 November, the United States Institute of Peace hosted a conference in Washington, DC, to strategise on the way forward for the peace process in Darfur. Representatives of JEM, SLA-MM, and the Liberation and Justice Movement (LJM) participated. (The LJM is the only one among these groups to sign the Doha Document for Peace in Darfur [DDPD], which provides a framework for the peace process in Darfur.) Other participants included US government officials and members of Darfuri civil society. Although invited, the government of Sudan declined to participate in the conference.

Key Issues

An ongoing key issue is the how the Council's unwillingness to act on requests by the ICC Prosecutor to take measures against States Parties to the Rome Statute that do not adhere to their obligations erodes the effectiveness of the Court and the binding nature of the Council's own Chapter VII resolutions. (While it has not done so in the case of Bashir's recent trip to Malawi, the ICC has in the past informed the Council of Bashir's trips to Kenya, Chad and Djibouti—all parties to the Rome Statute—without a response from the Council.)

Another key issue is the need for the recently appointed members of the Sudan panel of experts to carry out their new responsibilities as effectively as possible.

A further important issue is how the Council chooses to address the recent alliance formed between several Darfur rebel groups and the SPLM-N, formerly the northern branch of the ruling party in South Sudan. (The ties between rebel groups in different parts of Sudan appear to confirm the sentiment of many Council members that there is a need for a holistic strategy to address the interconnected challenges facing Sudan and South Sudan.)

Options

With respect to the ICC briefing, the Council could take up the wider challenges concerning Darfur in the closed meeting following the Prosecutor's briefing. Although unlikely, it could also remind all member states of the UN of the binding nature of resolution 1593 whereby it referred the situation in Darfur to the ICC and indicate that the Council will follow-up on any instance of non-compliance.

It could also issue a statement that:

- expresses concern with the formation of SRF and encourages the rebel groups that constitute the alliance to engage in peaceful dialogue with Khartoum;
- employs language signalling a more critical posture toward the rebel movements that have not acceded to the DDPD; or
- reiterates its support for the DDPD.

With respect to the Sanctions Committee briefing, Council members could request an update regarding the activities of the newly constituted panel of experts.

Council Dynamics

Substantive differences exist within the Council regarding the ICC's work in Darfur, especially between those members that are parties to the Rome Statute and those critical of the Court's pursuit of Bashir. Upon entering the Council, South Africa publicly noted that it intended to seek an Article 16 deferral of the case against Bashir.

Several Council members also seem to be focused on the need for the newly constituted panel of experts to fulfil their new responsibilities as effectively as possible.

There also appears to be growing concern among many Council members about the linkages between rebel groups in Darfur and the SPLM-N, and the implications of those ties for the security situation in Sudan.

The UK is the lead country on Darfur.

UN Documents

Security Council Resolutions

- S/RES/2003 (29 July 2011) extended UNAMID's mandate until 31 July 2012.
- S/RES/1982 (17 May 2011) extended the mandate of the Sudan sanctions panel of experts until 19 February 2012.
- S/RES/1593 (31 March 2005) referred the situation in Darfur to the International Criminal Court (ICC).
- S/RES/1591 (29 March 2005) and S/RES/1556 (30 July 2004) imposed sanctions.



Secretary-General's Reports

- S/2011/643 (12 October 2011) was the most recent quarterly report of the Secretary-General on UNAMID.
- S/2011/252 (15 April 2011) was on implementation of the Darfur Political Process.

Meeting Records

- S/PV.6638 (25 October 2011) was the Council's discussion of the Secretary-General's latest report on UNAMID.
- S/PV.6548 (8 June 2011) was the latest briefing by the ICC Prosecutor.

Other

- SC/10439 (8 November 2011) and SC/10407 (11 October 2011) were press statements condemning fatal attacks on UNAMID peacekeepers.
- S/2011/466 (27 July 2011) contained the communiqué of the AU Peace and Security Council on UNAMID's mandate renewal.
- SC/10291 (23 June 2011) was the Council press statement on the Doha Peace Process.

Other Relevant Facts

UNAMID: Joint AU-UN Special Representative for Darfur

Ibrahim Gambari (Nigeria)

UNAMID: Force Commander

Lt. Gen. Patrick Nyamvumba (Rwanda)

UNAMID: Size, Composition, Cost and Duration

Maximum authorised strength: up to 19,555 military personnel, 3,772 police and 19 formed police units (total police 6,432)
Main troop contributors: Nigeria, Rwanda, Egypt, Ethiopia and Senegal
Military strength as of 31 October 2011: 17,723 troops and 239 military observers
Police Strength as of 31 October 2011: 4,920 police personnel
Annual Budget: \$1.69 billion
Duration: 31 July 2007 to present; mandate expires 31 July 2012

Sanctions Committee Chairman

Néstor Osorio (Colombia)

Somalia

Expected Council Action

Developments in Somalia are expected to be on Council members' minds in December. The Secretary-General's report is likely to be issued early in the month, to be followed by a briefing. At press time, it seemed unlikely there would be any outcome.

Key Recent Developments

Following Kenya's military incursion into Somalia on 16 October, the prime ministers of both countries confirmed in a joint communiqué on 31 October that the operation was being carried out with the support of and in close coordination with the Transitional Federal Government (TFG) and under the leadership of TFG forces. They also called for the AU Mission in Somalia (AMISOM) to deploy troops into liberated areas in southern Somalia. Additionally, the communiqué stated that the TFG would seek the assistance of the International Criminal Court to investigate crimes against humanity committed by the Islamist rebel group Al Shabaab.

In November, there were reports from several sources that Ethiopian troops had entered into Somalia, but this was denied by both governments.

The Intergovernmental Authority on Development welcomed the joint Kenya/TFG operation on 25 November, called on Kenya to consider integrating its forces into AMISOM and also called on Ethiopia to support the ongoing military operations in Somalia. It additionally called on the Council "to enhance the mandate of AMISOM" and authorise a strength "appropriate for the consolidation of peace and security in Mogadishu and south and central Somalia and other secured areas." It also reiterated its request for a no-fly zone and a naval blockade to restrict access to areas controlled by Al Shabaab.

On 28 November, Al Shabaab banned 16 international aid organisations, including several UN agencies, from operating in areas under its control. (While it had previously imposed restrictions, Al Shabaab had not outright banned operations.)

On 16 November, the chair of the Sanctions Committee for Somalia and Eritrea, Indian Ambassador Hardeep Singh Puri, briefed Council members in informal consultations on the work of the Committee. (The Committee met on 9 November to discuss the latest report of the Humanitarian Coordinator for Somalia and was briefed by Philippe

Lazzarini of the Office for the Coordination of Humanitarian Affairs.)

On 22 November, the Council adopted resolution 2020 extending for another 12 months the authorisation to take action against piracy off the coast of Somalia first established in 2008.

In a 23 November meeting with the Secretary-General's Special Representative for Children and Armed Conflict, Radhika Coomaraswamy, the TFG reconfirmed its commitment to implement an action plan to end the use and recruitment of child soldiers.

Key Issues

A continuing key issue for the Council is the timely implementation of the road map and whether additional international involvement and support is warranted to keep the process on track.

Another key issue is the security situation, the implications of the Kenyan operation, the possible involvement of Ethiopia and the risk of broader regional destabilisation.

A further key issue is that AMISOM may soon reach its authorised strength of 12,000 as deployment of additional troops from Djibouti seems imminent and integration of Kenyan troops into AMISOM is being discussed, and the Council may again be asked to raise the mission's troop ceiling.

Humanitarian access continues to be an issue, in particular in light of Al Shabaab's recent decision to close down aid agencies. Concerns have also been raised about the humanitarian impact of the military operations in the south.

Options

Main options for the Council include:

- receiving Mahiga's briefing, but taking no further action at this stage;
- adopting a statement that would among other things emphasise the importance of the road map, remind the TFG that further international support will depend on its implementation, call for enhanced international support, condemn Al Shabaab's recent decision to ban aid agencies, and stress the need to fight impunity and ensure accountability; or
- depending on developments and requests from the AU, reviewing AMISOM's authorised troop level.

Council Dynamics

There seems to be growing concern among Council members about lack of progress in the implementation of the road map. It

appears the Kenyan operation has put the TFG under additional pressure and taken some of its focus away from the road map. While Council members recognise the importance of international material support, there is also a sense that much of what needs to be done depends less on financial resources than on political will.

On the security situation, Council members do not see the intervention of Kenya as an issue for the Council as long as it is done with the approval of the TFG and in compliance with international humanitarian and human rights law. While not openly supporting it, there appears to be a sense that any measure that can increase the chances of defeating Al Shabaab is welcome. Council members seem aware, however, that the situation may soon become an issue for the Council if the AU decides to integrate Kenyan forces into AMISOM.

The UK is the lead country on Somalia in the Council.

UN Documents

Security Council Resolution

- S/RES/2020 (22 November 2011) renewed for a period of 12 months the authorisation for international action against piracy off the coast of Somalia.

Latest Secretary-General's Report

- S/2011/549 (30 August 2011)

Latest Meeting Record

- S/PV.6646 (31 October 2011) was a briefing on piracy by the Assistant Secretary-General for Political Affairs.

Other

- S/2011/694 (9 November 2011) was the latest report by the Humanitarian Coordinator for Somalia.

Burundi

Expected Council Action

In December, the Council is expecting a briefing on Burundi by the special representative of the Secretary-General and head of the UN Office in Burundi (BNUB), Karin Landgren. The chair of the Burundi configuration of the Peacebuilding Commission (PBC), Swiss Permanent Representative Paul Seger, might also brief the Council. The briefing will be followed by consultations.

The Council is likely to renew the BNUB's mandate, which expires on 31 December.

Key Recent Developments

On 17 May, Landgren and Seger briefed the Council. Landgren told the Council that the situation in the country remained generally calm and that new laws have been adopted on the functioning of political parties and also for non-parliamentary opposition parties. She reported that the government was preparing its second poverty-reduction strategy paper, which will incorporate elements of the strategic framework laid out by the PBC. But she also noted with concern continuing instances of extrajudicial killings, corruption and Burundi's lack of self-sufficiency in food production caused by land erosion. Seger stated that the PBC's engagement with Burundi will be undertaken within the anticipated poverty-reduction strategy paper produced by the Burundi government. In addition to socio-economic issues, he listed corruption, human rights and transitional justice as other priorities.

In July, Burundian President Pierre Nkurunziza announced that a Truth and Reconciliation Commission (TRC) would be set up in early 2012 to probe decades of ethnic killings. He added that a special tribunal to prosecute offenders would subsequently be created as well. Both bodies are stipulated in the Arusha peace accords of 2000.

Attacks against civilians and soldiers have reportedly intensified since the June 2010 elections, widely boycotted by the opposition for alleged fraud (EU observers have reportedly said that the elections met international norms). The worst attack yet came on 18 September, when heavily armed gunmen wearing military uniforms stormed a bar in Gatumba, west of the capital Bujumbura, killing around 39 people and wounding others. Burundian officials say the attack was orchestrated by Agathon Rwasa, leader of the National Liberation Forces (FNL), believed to be hiding in the Democratic Republic of Congo since fleeing Burundi at the time of the elections. Up until now, the government had dismissed attacks as the work of "armed bandits". Proceedings have commenced against 21 alleged perpetrators, who claim that police violated procedure while investigating the case. Following the defence's charges of widespread police misconduct, the case was adjourned until 1 December.

On 7 November, President Nkurunziza replaced six of 21 ministers in a reshuffle of his cabinet, including the interior minister

over his failure to stem a wave of deadly violence. According to media reports, all ministers had signed an agreement last February to achieve certain objectives, short of which they will lose their jobs. The opposition has asserted that these are cosmetic changes.

On 23 September, the Burundi configuration of the PBC held a high-level event on peacebuilding in Burundi. The Burundi foreign minister, Augustin Msanze—since replaced by Laurent Kavakure—stated that, although resolution 1959 officially transformed and downsized the UN political mission in Burundi, the changes on the ground must become more visible.

Developments in the Peacebuilding Commission

The PBC has been implementing the outcome document of the fifth and final review of the implementation of the Strategic Framework for Peacebuilding in Burundi, adopted on 21 April. The document identified peacebuilding challenges in the political and institutional sphere and in the socioeconomic sphere in which the commission can assist Burundi. The implementation of the outcome document was to coincide with the Burundi government's new poverty-reduction strategy paper (PRSP II), which was to be completed last summer but has yet to be finalised.

During the high-level event on peacebuilding in Burundi on 23 September (held on the margins of the General Assembly's sixty-sixth session), the Burundi foreign minister criticised what he viewed as the PBC's overemphasis on the political sphere in its involvement in Burundi. He said that the PBC's engagement with Burundi should focus on the socioeconomic sphere.

The Burundi configuration paid a visit to Burundi from 31 October to 5 November, headed by Seger. While in Burundi, it met with both vice presidents, the foreign minister at the time and other ministers. After the visit in Burundi, it met with the current foreign minister, Kavakure, while in Kigali, Rwanda, attending a post-conflict peacebuilding conference.

The PBC plans to issue a report on the visit and a meeting within the Burundi configuration in the next couple of months. It may also try to organise a donor conference in Bujumbura in



January 2012. Some of the PBC's areas of focus in Burundi in the near future may include continued assistance for the reintegration programs for ex-combatants, along with other groups such as internally displaced people and unemployed youth, and assisting in broadening the donor base and developing new partnerships for Burundi.

Human Rights-Related Developments

On 30 September the Human Rights Council (HRC) adopted a resolution in which it welcomed the government's creation of an independent human rights commission but was not ready to terminate the mandate of the independent human rights expert for that country, as had been proposed in the initial draft of the resolution. But the HRC urged the international community to increase its technical and financial assistance in support of Burundi's efforts to promote and protect human rights.

Key Issues

A key issue is assessing the progress of the transformation of the UN Integrated Office in Burundi BINUB into BNUB and whether the new role for the UN in Burundi is suitable for the evolving situation in the country.

Another issue is how to encourage a political dialogue between the government and the opposition and strengthen good governance, human rights and the rule of law in the country.

Options

Options for the Council include:

- renewing BNUB's mandate for 12 months;
- renewing BNUB's mandate for a shorter period and asking the Secretary-General for an assessment of progress achieved in Burundi (less likely);
- encouraging the work of the PBC and requesting the PBC to continue to provide the Council with advice on peacebuilding issues; and
- stressing the importance of political reconciliation if the peacebuilding process is to be successful in the long run.

Council Dynamics

Council members are expecting to receive the first report on BNUB and the recommendations therein, due by the end of November. Several members would like to have Seger participate in the Council's closed consultations, in addition to his possible briefing. In recent years, the Council has used several formats, for example the informal interactive dialogues, to facilitate participation of non-members in Council non-public deliberations.

In recent years, Burundi has not been an issue on which Council members have diverged greatly. Council members generally view the security situation in Burundi as stable, while aware of its fragility due to the history of ethnic conflict. Much progress remains to be made on issues of rule of law, the abundance of small arms, extrajudicial killings, political persecution, corruption and property disputes, but Council members note the progress, albeit slow at times, that has been achieved in Burundi, including the successful presidential election of June 2010, the establishment of the independent human rights commission and promulgation of several key pieces of legislation.

Council members see the new configuration of BNUB as a transition phase. Several members are of the view that the slow progress in improving the political climate and enforcing the rule of law in the country does not support a downgrade in BNUB's mandate or strength at present. Some countries emphasise the importance of taking into account the position of Burundi's government and the need for benchmarks for BNUB's eventual withdrawal.

UN Documents

Security Council Resolution

- S/RES/1959 (16 December 2010) reconfigured BINUB into BNUB as of 1 January.

Security Council Meeting Record

- S/PV.6538 (17 May 2011) was the briefing by Landgren and Ambassador Seger.

Latest Secretary-General's Report

- S/2010/608 (30 November 2010)

Other

- PBC/5/BDI/L.1 (21 April 2011) was the outcome of the fifth review of the implementation of the Strategic Framework for Peacebuilding in Burundi.

Central African Republic

Expected Council Action

The Council expects a briefing on the situation in the Central African Republic (CAR) by Margaret Vogt, the Secretary-General's Special Representative and head of the UN Integrated Peacebuilding Office in CAR (BINUCA), in December.

BINUCA's mandate expires on 31 December. The Council is likely to extend BINUCA's mandate for another year by issuing a presidential statement.

Key Recent Developments

The overall security situation in CAR has remained volatile over the last several months. Extreme poverty, violent crime and armed clashes between local rebel groups, as well as attacks by foreign rebel elements, weak government institutions and human rights violations, are some of the many factors that have led to the ongoing instability in CAR.

On 27 June, CAR President François Bozizé's office announced that the government had launched a disarmament operation in Bocaranga in the northwest. (The government has been engaged in a disarmament process after peace accords were signed with four rebel movements in 2008, which was expected to lead to the integration of an estimated 6,000 former fighters into society.) In September, more than 50 people were killed in armed fighting between rival ethnic groups from the Convention of Patriots for Justice and Peace (CPJP) and the Union of Democratic Forces for Unity (UFDR) in Bria, CAR's main diamond-mining region. The two groups have fought over it for years. On 8 October, the CAR government announced that both CPJP and UFDR had signed a ceasefire agreement.

On 21 June, Zachary Muburi-Muita, head of the UN Office to the AU (UNOAU), briefed the Council. Muburi-Muita said he had intensified strategic-level consultations with the AU on responding to the challenges to longstanding peace efforts in CAR and elsewhere. (UNOAU was set up by the General Assembly on 1 July 2010 to build stronger ties between the UN and the AU and other subregional organisations.)

The Council's Working Group on Children and Armed Conflict issued a statement to all parties to the conflict on 22 June. This statement was in connection with the consideration of the Secretary-General's second report on Children and Armed Conflict in CAR. It noted with serious

concern the recruitment and use of children by local militias and called on the government to reiterate its prohibition on the recruitment and use of children.

Vogt, in a briefing to the Council on 7 July, noted that CAR faced serious challenges despite the progress made since the establishment of BINUCA. She highlighted widespread extreme poverty, weak national institutions, corruption, a high rate of violent crime perpetrated by armed movements and brigands, human rights violations and impunity as key issues. Vogt said she intended to establish a protection unit within BINUCA to prevent the recruitment and use of child soldiers. Earlier, on 1 July, the Fifth Committee approved funding for BINUCA.

On 21 July, the Council issued a press statement condemning the ongoing attacks by the Lord's Resistance Army (LRA) and commending the efforts being undertaken by the CAR military as well as other regional militaries. Council members also requested the UN Regional Office for Central Africa (UNOCA) to engage with the AU on issues related to countering the threat posed by the LRA. Pursuant to the press statement, the Council received the Secretary-General's 4 November report on LRA-affected areas.

Abou Moussa, the Secretary-General's Special Representative and head of UNOCA, briefed the Council on 18 August. Moussa described rebel groups, such as the LRA and the militia led by Baba Ladde that moves between Chad and CAR, as primary cross-border threats. On 14 October, US President Barack Obama authorised the deployment of an estimated 100 US soldiers to CAR to assist the National Defence Force (NDF) in fighting the LRA. The US troops' reported role will be to advise and train the NDF in the region.

Moussa presented the Secretary-General's report on the LRA to the Council on 14 November. Subsequently, the Council issued a presidential statement strongly condemning the LRA whilst commending the efforts undertaken by the CAR military in addressing this issue. Moreover, the Council welcomed BINUCA's added focus on LRA-related issues in CAR.

Vogt addressed the Peacebuilding Commission (PBC), via teleconference on 16 November, and said that political engagement and inclusive dialogue among conflict parties were crucial to consolidating peace. She noted that the disarmament process was encountering

shortfalls in funding. The PBC had met to approve and adopt the draft conclusions and recommendations of the second biannual review of the Strategic Framework.

On 15 July, Silvana Arbia, the Registrar of the International Criminal Court (ICC), concluded a three-day visit during which she met with Prime Minister Faustin Archange Touadera as well as others. (The government of CAR officially referred the situation to the ICC in December 2004; the ICC Prosecutor opened an investigation in May 2007.) The trial of Jean-Pierre Bemba began on 22 November 2010. Bemba, a former Vice President of the Democratic Republic of Congo is accused of a range of crimes allegedly committed by the Movement for the Liberation of Congo when his forces fought in an attempted coup in CAR between 2002 and 2003.

On 10 November, the ICRC expressed its concern over the impact on civilians of recent sporadic violence between armed groups in the northeast of CAR. Following clashes between two armed groups in the city of Bria, the ICRC reminded the parties concerned of their obligation to spare civilians at all times.

Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, visited CAR on 21 November. Coomaraswamy witnessed the signing of the action plan for the release of child soldiers from the ranks of CPJP by Vogt, Tanya Chapuisat, the UN Children's Fund's representative in CAR, and Abdoulaye Hissene, CPJP president.

Developments in the Peacebuilding Commission

In a 7 July Council briefing, PBC CAR country configuration chair, Ambassador Jan Grauls (Belgium), said security sector reform would be one of the main priorities in the coming year. The PBC will launch relevant programmes as well as focus on other issues, such as the transparent management of natural resources, an important source of revenues for the government. Grauls also highlighted the dire conditions of women and children and called for a mechanism to monitor their situation.

Human Rights-Related Developments

A survey of displaced civilians near the town of Ndélé in the northeast carried out between May and September by the

Office of the High Commissioner for Refugees and the Danish Refugee Council indicated acute hardship, as well as a high incidence of child or teenage marriages and the widespread use of child labour.

Key Issues

An overarching issue is the continuing volatile security situation in CAR and the steps the Council might take to mitigate this.

An important current issue for the Council is the threat to stability posed by the LRA and determining how the Council can best address this in the context of its overall approach to the LRA.

A further issue is the need for progress on security sector reform and good governance, including establishing the rule of law-capacity in terms of moving forward with the peacebuilding process and proceeding with the disarmament, demobilisation and reintegration process.

Options

One option for the Council is to simply receive the briefing and issue a presidential statement renewing BINUCA's mandate for another year.

An added option would be to raise the profile of the security situation in CAR in the statement. The Council could also call for steps to be taken in accordance with the recommendations in the PBC's latest review.

Council Dynamics

Council members seem to be in general agreement on the need to support the peacebuilding process in CAR. Some Council members take BINUCA's settlement in the country and visits similar to Coomaraswamy's recent trip as signs of progress. Council members, in recent times, have applied a wait-and-see approach when discussing CAR; this is unlikely to change unless Vogt's briefing demands the Council to act otherwise.

France is the lead country on CAR in the Council.

UN Documents

Presidential Statements

- S/PRST/2011/21 (14 November 2011) condemned the LRA's role in the Central African region.
- S/PRST/2010/26 (14 December 2010) extended the mandate of BINUCA until 31 December 2011.



Press Statement

- SC/10335 (21 July 2011) was on the LRA.

Meeting Record

- S/PV.6575 (7 July 2011) was Vogt's briefing to the Council.

Secretary-General's Report

- S/2011/693 (4 November 2011) was on the LRA-affected areas pursuant to SC/10335.

PBC-Related Document

- PBC/5/CAF/L.1 (28 October 2011) contained the draft conclusions and recommendations of the second biannual review of the strategic framework for peacebuilding in CAR.

Other

- GA/AB/3994 (1 July 2011) was a record of the Fifth Committee's approval of BINUCA's budget.

Liberia

Expected Council Action

In December the Council is expected to renew both the sanctions regime on Liberia and the mandate of the panel of experts monitoring the implementation of the sanctions for a period of four to six months. The mandate of the UN Mission in Liberia (UNMIL) expires on 30 September 2012.

Key Recent Developments

On 16 September, the Council adopted resolution 2008 extending UNMIL's mandate until 30 September 2012. Resolution 2008 also noted that the conduct of "free, fair and peaceful elections" would be a "core benchmark for UNMIL's future draw-down." On 13 September, Ellen Margrethe Løj, the Secretary-General's Special Representative for Liberia, had briefed the Council on the latest developments in Liberia. Løj reported significant socioeconomic development but noted that though the security situation remained stable, it was still fragile.

Liberia held presidential elections on 11 October. Sixteen candidates ran and none got the necessary 50 percent-plus-one of the total vote to avoid a run-off. Incumbent President Ellen Johnson Sirleaf led with 43.9

percent of the vote. On 26 October the Council issued a press statement praising the peaceful and orderly conduct of the first round, but the main opposition leader, Winston A. Tubman, who won 32.7 percent of the vote, announced that he was withdrawing from the run-off contest slated for 8 November, citing irregularities in the conduct of the vote. A day before the election, Tubman's supporters clashed with the Liberian National Police (LNP), who opened fire, killing at least one protester. The run-off polls were conducted on schedule, but turnout was predictably low due to the opposition boycott and the pre-election violence. Also, some of Sirleaf's supporters saw no need to go to the polls since their candidate was bound to win anyway. In the event, Sirleaf received 607,618 votes (or 90.7 percent of the total cast) and was declared re-elected for another six-year term.

On 18 November, the Council issued a statement praising the election as "free, fair and transparent". The statement, however, deplored the electoral violence of 7 November and welcomed the creation of a Special Independent Commission of Inquiry to investigate the incident. The statement called on Liberian leaders to "promote meaningful reconciliation and inclusive dialogue in order to consolidate peace and advance Liberia's democratic development."

The violent police reaction to opposition protesters came as a reminder of the serious gap in Liberian national capacity in matters of security. The UN police had to intervene in force to stop further bloodshed.

Regarding sanctions, resolution 1961 in December 2010 demanded greater compliance from the Liberian authorities, particularly in respect to their obligations concerning the freezing of assets belonging to former President Charles Taylor as well as those of his family and other individuals who were associated with his regime. The resolution also urged the Liberian government to implement the recommendations of the 2009 review team on the Kimberley Process, the international certification regime for rough diamonds meant for export. The review team had identified serious loopholes with respect to Liberia's compliance with the process' requirements.

The panel of experts' last report, submitted to the Council in June, reported "attempted violations" of the arms embargo by individuals and groups from Liberia, mainly an estimated 4,500 mercenaries "hired and deployed" by former Côte d'Ivoire President Laurent Gbagbo during the conflict in

that country. The report noted the seizure of weapons by UN officials from mercenaries returning from the Ivorian conflict. (The Group of Experts on Côte d'Ivoire reported in October that large quantities of arms and ammunition believed to have been acquired by Gbagbo remain unaccounted for.)

The panel's report noted difficulties in monitoring the travel ban because of the lack of "more comprehensive and standardised methodology for listing individuals and adding identifying" passport information about those on the list. It reported obtaining passport information on only two of the 45 individuals on the travel-ban list, one of whose passport expired in 2008. The report noted that Liberian customs and immigration officials did not appear to have the travel-ban list, and the passport details, not to mention the current location, of the non-Liberians on the list are murky. The report recommended the use of Interpol to alert law enforcement agencies worldwide to "the individuals on the list but noted that "relevant details to make this practicable are available on only 31 of the 45 individuals on the list. The report says very little about the 22 individuals and 30 entities whose assets are frozen, noting that it had begun to "follow up on information" in the panel's archives on "possible assets linked" to these individuals and entities. In fact, some prominent Liberians on the sanctions list have been apparently co-opted by President Sirleaf's government. They include Benoni Urey, who was a close associate of Taylor and was appointed mayor of the town of Careysburg by the government in October 2009, who is on the UN assets-freeze and travel-ban list.

Key Issues

The immediate key issue for the Council is how to ensure effective implementation of the sanctions regime as Liberia stabilises following largely peaceful but not problem-free elections in November.

A related issue is the fact that some of the individuals listed under the assets freeze have since joined the government and the question whether their continuing presence on the list enhances or diminishes the effectiveness and credibility of the sanctions regime.

Underlying Issues

Nearly eight years after UNMIL was deployed, Liberian police capacity is still problematic. Police presence in rural Liberia is negligible, and the UN still performs important policing duties. Nearly 100 Liberian police personnel have been summarily

dismissed for alleged collusion in crimes, including armed robbery. The picture is just as bleak for the 2,000-strong national army, which has been put together by an American private security company, Dyncorp, with funding from the US State Department. Lacking experienced officers, the army is led by personnel from Nigeria's armed forces. In the past two years, violent clashes were reported between the army and the police. Where national reconciliation is concerned, the recommendations of the Truth and Reconciliation Commission, issued in 2009, were largely shelved, and the Human Rights Commission remains dysfunctional due to internal problems.

Options

One option for the Council is a technical roll-over of resolution 1961, which on 17 December 2010 renewed for 12 months an arms embargo on Liberia and assets freezes and travel bans on persons deemed threatening to the country's peace process as well as the mandate of the panel.

A less likely option would be adopting a resolution modifying some elements of the sanctions regime, in particular those relating to the criteria for listing.

Council Dynamics

Liberia recently became a mildly contentious item on the Council's agenda after European Council members—France, the UK, Germany and Portugal—in September raised issues relating to financing and competing demands for peacekeeping resources, citing UNMIL's prolonged stay in Liberia. As a result, there were unexpectedly prolonged Council discussions before the adoption of a resolution renewing UNMIL's mandate. All Council members, however, seem to agree about the need for the sanctions regime and the panel of experts, in part because of the salience of the issues involved, in particular the illicit movement of arms across the border between Liberia and Côte d'Ivoire.

The US is leading on Liberia in the Council.

UN Documents

Security Council Resolutions

- S/RES/2008 (16 September 2011) extended the mandate of UNMIL until 30 September 2012.
- S/RES/1961 (17 December 2010) renewed for 12 months an arms embargo on Liberia, assets freezes, and travel bans on selected individuals.
- S/RES/1521 (22 December 2003) called for establishing the panel of

experts as part of a sanctions regime.
Latest Secretary-General's Report
• S/2011/497 (1 August 2011)
Meeting Record
• S/PV.6619 (16 September 2011) was the transcript of the Council's discussions on UNMIL.
Other Relevant Facts
UNMIL Special Representative of the Secretary-General
Ellen Margrethe Løj (Denmark)
UNMIL Force Commander
Maj. Gen. Muhammad Khalid (Pakistan)
Chairman of the Sanctions Committee
Nawaf Salam (Lebanon)
Panel of Experts on Liberia
Christian Dietrich (US), finance and coordinator; Caspar Fithen (UK), natural resources; and Augusta Muchai (Kenya), arms

Guinea-Bissau

Expected Council Action

In December, the Council is expected to renew the mandate of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), which expires on 31 December, by adopting a new resolution extending the mandate for 12 months.

Key Recent Developments

On 3 November, the Council discussed the Secretary-General's latest report on UNIOGBIS, which was submitted on 21 October. The Council was briefed by the Secretary-General's Special Representative for Guinea-Bissau, Joseph Mutaboba; Ambassador Maria Luiza Ribeiro Viotti (Brazil), the chair of the Guinea-Bissau configuration of the Peacebuilding Commission (PBC); and Maria Helena Nosoline Embalo, Guinea-Bissau's Minister of Economy, Planning and Regional Integration.

Mutaboba reported a series of peaceful demonstrations by the opposition against the government over its perceived lack of action on serious human rights and rule of law-related issues, including the assassination of top political figures in 2009. The demonstrators called for the dismissal of Prime Minister Carlos Gomes Júnior, whom they blame for stalling the investigations into the killings, and condemned President Malam Bacai Sanhá for not heeding their call to dismiss the Prime Minister.

Mutaboba noted that drug trafficking and organised crime "remain a constant threat to the fragile stability" that Guinea-Bissau has enjoyed for the past 18 months, adding that the "efficient combat against drug trafficking continues to be hampered by a variety of internal and external political and technical factors." This seems to be a reversal of the upbeat assessment Viotti made on 28 June, when she reported "positive developments" in the fight against drug trafficking, including Guinea-Bissau's implementation of the West African Coast Initiative by appointing the management board and the chair of the Transnational Crime Unit (TCU). Mutaboba reported that there was still a lack of "reliable data on the actual quantities of drugs that transit through" Guinea-Bissau.

As part of its rule-of-law and security-sector reform assistance, UNIOGBIS has since February provided technical and financial support for the vetting and certification of police and internal security agencies. In September, the mission opened the first of a planned one dozen "model police stations" slated to be inaugurated in the next two years around the country. Funding comes from the PBC, which in the coming months will disburse \$16.8 million for such police stations and also for courts, a judiciary-training centre, the pension fund for the armed forces and measures to address the problem of drug trafficking. Serious challenges remain in establishing the legitimacy of the state, the rule of law and respect for civilian control of the security sector. The military is still seen to be the real power in the country, and there are concerns that key figures are part of the international narcotics hub. Inter-community violence over access to land in June led to the death of two people.

During the November briefing, Embaló noted that her government lacks the technical and financial capacity to ensure the rule of law but that the government is moving forward with its justice sector reform, including prison system reform, strengthening criminal justice legislation and tackling transnational crime.

On 29 September, the Secretary-General and Prime Minister Gomes held talks in New York on the implementation of a peacebuilding plan, including social and political reforms. The Secretary-General stressed the importance of inclusive political dialogue and reform of the security and justice sectors as key issues in building peace in the country.



Human Rights-Related Developments

The Special Representative of the Secretary-General for Guinea-Bissau, Joseph Mutaboba, told the Council on 3 November that the investigations into the 2009 political assassinations, including that of President João Bernardo Vieira, remained to be concluded, suggesting larger problems with justice-sector reform in the country. On 12 September, the Prime Minister and Mutaboba inaugurated the country's first model police station. In his June report on the situation in Guinea-Bissau, the Secretary-General had stressed that the construction of model police stations, together with the training of police officers to staff them, was an essential step in national efforts to restore authority and re-establish public security conditions. He hoped that this development would "help break with past practice of frequent disregard for the rule of law and human rights."

Key Issues

The key issues for the Council correspond with the UNIOGBIS strategic work plan and benchmarks set out in 2010. It appears that the most pressing of these are reform of the security sector and entrenchment of the rule of law, as well as issues relating to illicit trafficking, in particular child trafficking, drug trafficking and organised crime. A related issue is continuing impunity, since senior army officers suspected of being involved in the 2009 assassinations remain in powerful positions.

A related issue down the line is to prepare for an eventual transition from UNIOGBIS to a UN country team by combating impunity, enhancing the legitimacy of civilian rule and ensuring civilian control of the military.

Underlying Issues

Since it gained independence from Portugal after a bloody and prolonged armed struggle, Guinea-Bissau has been subject to political upheavals and even normative collapse. Unlike its neighbours, it is largely resourced-starved, and it did not inherit functioning political institutions from

Portugal at independence. Worse, the bitterness of the war of liberation was such that the newly independent government, controlled by a revolutionary council, executed thousands of African soldiers who had fought for the Portuguese. Thousands fled the country as a result. To date, Guinea Bissau's diaspora population, in West Africa and Europe, remains a key factor in the country's charged political climate, and reconciliation and inclusive national dialogue as part of a belated transitional justice effort remain key underlying issues.

Options

Options for the Council include:

- renewing UNIOGBIS' mandate for 12 months but make reporting requirements to the Council more frequent, such as every four or six months;
- renewing the mandate for 12 months and maintaining the same reporting requirement as previously—once a year;
- adding language expressing its intention to closely monitor implementation of outstanding issues identified in resolution 1949; or
- deciding to establish a panel of experts to assist the Council on emerging threats in West Africa.

Council Dynamics

Though Guinea-Bissau is currently not a contentious item on the Council's agenda, some members are likely to insist on changing the reporting period for UNIOGBIS from 12 months to six months. This is in large part because of the apparent fluidity of the situation in the country, and the fact that unlike in other thematic situations, only elected Council members have led on it. (Nigeria, which currently leads on Guinea-Bissau, is leaving the Council in December.)

UN Documents

Security Council Resolutions

- S/RES/1949 (23 November 2010) renewed the mandate of UNIOGBIS until 31 December 2011.
- S/RES/1876 (26 June 2009) extended the mandate of UNIOGBIS until 31 December 2009.

Secretary-General's Reports

- S/2011/655 (21 October 2011) covers major developments in Guinea-Bissau since June.
- S/2011/370 (17 June 2011) covers major developments in Guinea-Bissau from 15 February to June.
- S/2011/73 (15 February 2011) covers major developments since

25 October 2010.

Press Statements

- SC/10301 (28 June 2011)
- SC/10184 (25 February 2011)

Selected Meeting Records

- S/PV.6648 (3 November 2011)
- S/PV.6569 (28 June 2011)
- S/PV.6489 (25 February 2011)

Other Relevant Facts

Special Representative of the Secretary-General and Head of UNIOGBIS

Joseph Mutaboba (Rwanda)

Duration

1 January 2010 to present; mandate expires 31 December 2011

Chair of the Guinea-Bissau Configuration of the PBC

Brazil

Working Group on Conflict Prevention and Resolution in Africa

Expected Council Action

In December, the Council is expected to receive the annual report of the Ad-hoc Working Group on Conflict Prevention and Resolution in Africa. It will then likely renew the mandate of the working group, which expires on 31 December, through a note by the president of the Council. No other Council action is expected.

Key Recent Developments

In January, South Africa replaced Uganda as chair of the Ad-hoc Working Group on Conflict Prevention and Resolution in Africa. (Established on 1 March 2002 to monitor the implementation of recommendations outlined in previous Council decisions regarding conflict prevention and resolution in Africa as well as to propose recommendations on the enhancement of cooperation between the Security Council and key UN agencies dealing with Africa, the working group has always been chaired by an African Council member.)

The working group has met six times so far in 2011, including an interactive session on 21 November:

- on 11 March, on "Consultations on the proposed activities of the Ad Hoc Working Group for 2011";
- on 31 March, on "Enhancing the role of the Ad-hoc Working Group on Conflict Resolution in Africa";

- on 3 May, on "UN Security Council and AU Peace and Security Council Cooperation";
- on 13 July, on "Early Warning Tools and Indicators to Assess the Risk of Election-Related Violence in Africa";
- on 28 September, on "The Root Causes of Conflict in Africa: New and Emerging Challenges to Peace and Security"; and
- on 21 November, in an interactive session on "Recent lessons learned in African conflict prevention and resolution: Coordinating response and supporting local capacity".

The 3 May discussion, on cooperation between the Council and the AU Peace and Security Council (PSC), was particularly remarkable, since it represented the first time that the 15 members of the PSC, which sits at the AU headquarters in Addis Ababa, were invited by the Council in New York to dialogue with Council members in the context of the working group. Rather than focusing heavily on procedural matters as in previous years, the May meeting between the two Councils resulted in a substantive discussion and a communiqué on issues such as Libya, Côte d'Ivoire, Sudan, and Somalia, perhaps in part as a result of the preparatory groundwork that had been done by the working group. (For more details, please see our 3 June Update Report on Visit of Security Council Delegation to Africa.)

Two additional meetings, which are likely to explore the relationship between peace and justice in Africa and lessons learnt from African countries emerging from conflict, have been planned before the end of the year.

Key Issues

One key issue is how to ensure that the discussions in the working group directly inform and strengthen the Council's work in Africa. The 3 May meeting was promising in this respect, helping to provide a springboard for the Council's deliberations with the PSC in Addis Ababa this year.

Another key issue is how to generate less formal and more spontaneous interactive discussion in the working group.

A further important and related issue is generating enhanced interest among Council members in the working group's activities.

Options

The most likely option for the Council is to renew the mandate of the working group. Moving forward, options for the working group's activities could include:

- focusing on country-specific cases in Africa that appear at risk of lapsing, or relapsing, into conflict, in keeping with a recommendation made in the Secretary-General's 7 June 2001 report on the prevention of armed conflict;
- using the working group as a secretariat for the annual meeting between the Council and the PSC, thus building on this year's 3 May meeting; or
- inviting permanent representatives of PSC countries and regional and sub-regional organisations to participate in interactive discussions with working group diplomats about relevant developments in Africa.

Council Dynamics

Although lingering concerns remain about the implications of conflict prevention on national sovereignty, most members of the Council, including especially African members, strongly support the Council's renewed interest in, and engagement with, conflict prevention in Africa over the past couple of years. There are several reasons for the interest, including notably growing concerns about the human and economic impact of conflict and the perceived overstretch and high financial cost of UN peace operations, especially in Africa. In this respect, most members of the Council appear to recognise that effective conflict prevention is more cost-effective than peacekeeping, and most importantly, saves lives.

South Africa has worked hard to revitalise the working group as chair this year. While it has had some successes, there is nonetheless a sense among some members that the working group could be feeding more directly into the Council's work on Africa. Additionally, some Council members appear to believe that the discussions in the working group could be more interactive and more strategic in nature.

UN Documents

Security Council Resolution

- S/RES/1625 (14 September 2005) was a declaration on the Council's role in conflict prevention.

Presidential Statements

- S/PRST/2011/18 (22 September 2011) was on preventive diplomacy.
- S/PRST/2010/21 (22 October 2010) was on assistance to AU peacekeeping.
- S/PRST/2010/14 (16 July 2010) requested the Secretary-General to submit recommendations on how best

to utilise preventive diplomacy tools within the UN system.

Secretary-General's Reports

- S/2011/552 (26 August 2011) was the Secretary-General's report on preventive diplomacy.
- S/2010/514 (14 October 2010) was on support to AU peacekeeping operations authorised by the UN.
- S/2001/574 (7 June 2001) was a report on prevention of armed conflict.

Other

- S/PV.6409 (22 October 2010) was the debate on support for AU peacekeeping.
- S/PV.6360 (16 July 2010) was an open debate on "optimising the use of preventive diplomacy tools: prospects and challenges in Africa."
- S/2010/654 (21 December 2010) was the presidential note extending the work of the working group until 31 December 2011.
- S/2002/207 (1 March 2002) outlined the terms of reference and mandate for the working group.

Other Relevant Facts

Chairs of the Working Group

South Africa (January 2011-Present)
 Uganda (January 2009 – December 2010)
 South Africa (January 2008 – December 2008)
 Congo (January 2006-December 2007)
 Benin (January 2005-December 2005)
 Angola (January 2003-December 2004)
 Mauritius (March 2002-December 2002)

UNDOF (Golan Heights)

Expected Council Action

The Council is expected to extend for six months the mandate of the UN Disengagement Observer Force (UNDOF), established in May 1974 to monitor the ceasefire between Israel and Syria.

Assistant Secretary-General for Peacekeeping Edmond Mulet is expected to brief Council members in consultations on the Secretary-General's UNDOF report. UNDOF's mandate expires on 31 December.

It is unclear whether the current situation in Syria might lead the Council to strengthen language in the resolution or whether its consideration of the observer force will be essentially technical.



Key Recent Developments

The forthcoming report is expected to state that the ceasefire was maintained and the situation was generally quiet. It is also anticipated to highlight continuing Syrian restrictions on UNDOF's access to carry out its monitoring tasks in the area of limitation on the Syrian side. It seems these restrictions are related to the current unrest in Syria and have been on-going since April. In the previous reporting period restrictions occurred in the southern sector. However, the restrictions now seem to have spread, affecting the southern and central sectors. (In a 20 June letter to the Council, Syria expressed concern that the June UNDOF report referenced the internal Syrian situation.)

The report is also expected to inform the Council that UNDOF's investigation into the 15 May events—when Israeli forces killed four civilians on the border between Syria and the Israeli-occupied Golan Heights—has been concluded, confirming information included in the previous UNDOF report. UNDOF also completed an operational assessment as requested in resolution 1994 and is expected to report that it is appropriately configured in terms of structure and troop levels. However, improvements to infrastructure and equipment would be beneficial.

The continued escalation of the Syrian government's suppression of public protests since mid-March—with an estimated death toll that now exceeds 3,500—has led to mounting international and regional pressure on Syria.

On 3 August, the Council held a debate on Syria and adopted a presidential statement expressing concern over the deteriorating situation there. In a rare procedural move, Lebanon disassociated itself from the statement after its adoption.

On 4 October, China and Russia vetoed a draft resolution—sponsored by France, Germany, Portugal and the UK—that condemned the Syrian crackdown on protestors. Brazil, India, Lebanon and South Africa abstained.

On 9 November, during the Council's open debate on protection of civilians, High Commissioner for Human Rights Navi Pillay said

that military defections seem to be increasing and could raise the risk of civil war in Syria. Media reports indicate that the rebel Syrian Free Army, based in Turkey, established a military council on 16 November with the stated aim of ousting Syrian President Bashar al-Assad. There have been recent media reports of clashes between Syrian security forces and defectors from the Syrian military.

On 12 November, the Arab League decided to suspend Syria after it failed to implement its commitments under the Arab League initiative, in particular allowing an observer mission in key cities across Syria. On 19 November, the Arab League rejected a Syrian proposal to substantially reduce the number of observers from 500 to approximately 40. On 27 November, the Arab League imposed economic sanctions on Syria and a travel ban on senior Syrian officials to compel the country to comply with the initiative it had agreed to on 2 November.

The Arab League's decision to suspend Syria sparked attacks by regime supporters on several embassies in Syria. The Council condemned the attacks in a press statement on 15 November. On 12 July the Council condemned similar attacks carried out against the French and US embassies, also in a press statement.

On 21 November, UN Special Coordinator Robert Serry told the Council that, given the challenging context, there was no progress on the Israel-Syria peace track. (The last attempt at talks was mediated by Turkey, which suspended its efforts after Israeli incursions into Gaza in December 2008. Previously, the last attempt was in 2000.)

Human Rights-Related Developments

On 22 November the UN General Assembly's Third Committee adopted a resolution condemning human rights violations in Syria and drawing attention to the Arab League initiative on Syria. The resolution had 61 co-sponsors and was adopted with 122 votes. There were 41 abstentions (including Russia and China) and 13 negative votes. No Arab country, other than Syria, voted against the resolution, three Arab countries abstained (Algeria, Lebanon and Yemen) and one was not present for the vote (Iraq).

On 23 November, the Commission of Inquiry released its report on allegations of international human rights violations in Syria as requested by the Human Rights Council in August. The report documents patterns of summary execution, arbitrary arrest, enforced disappearance, torture including sexual violence, and violations of children's rights. The Syrian government did not respond to the Commission's request for access.

At press time, the Human Rights Council was expected to hold another special session on Syria on Friday, 2 December, to consider a draft resolution supporting the Arab League's efforts, condemning the continued and systemic gross violations of human rights in Syria which may amount to crimes against humanity and warrant the attention of the ICC, and recommending the General Assembly consider the Commission of Inquiry's report and submit it to the Security Council.

Key Issues

A key issue is whether the crisis in Syria is excessively affecting UNDOF's ability to operate.

A related issue is whether and how to reflect on the wider political context in the Council's consideration of the UNDOF renewal.

The issue from previous years of whether to adjust the mandate renewal cycle from six to 12 months is unlikely to foster attention in December.

Options

One option is a simple rollover of UNDOF's mandate for six months.

A second, more proactive option, is for stronger language in the renewal resolution reflecting:

- the deteriorating situation in Syria which is affecting UNDOF's ability to operate; and
- underscoring the changing regional dynamic's impact on the Israel-Syria peace track.

Another option is to request the Secretary-General to provide more regular and in-depth reporting.

Council Dynamics

There is consensus that UNDOF remains useful in the absence of a peace agreement between Israel and Syria. What is less clear

to Council members is whether they should recalibrate their thinking about UNDOF and the stalemated peace track, given the current political upheaval in Syria in particular and the region in general.

Divisions in the Council over the wider Syrian situation may make any change in the Council's approach to UNDOF difficult. Lebanon, for its own domestic political reasons, is likely to be uneasy about any innovations on Syria in the Council or any deviation from past practices vis-à-vis the UNDOF renewal.

The US has the lead on UNDOF in the Council. However, the concern about introducing the larger Syrian political situation into UNDOF discussions remains and it is possible that Russia may table its own, more technical draft as it did in June.

During the June UNDOF renewal, two draft resolutions were circulated—the first by the US and a later one by Russia. The US draft included extensive references to the political situation in Syria, while the Russian draft contained the simple technical language used in past resolutions renewing UNDOF. After negotiation, there was agreement to combine the texts and reference the events that occurred in UNDOF's area of operations but not mention the anti-government demonstrations. Additionally, the Council dispensed with the traditional accompanying presidential statement and incorporated the statement's usual language about the wider tensions in the region into the resolution. (At press time, no presidential statement was envisioned for December either.)

It is unlikely that the Council members who in the past seemed interested in a one-year mandate period will renew that push. There seems to be greater impetus to keep the Israel-Syria track under more regular review in light of the Syrian crisis and its potential for regional impact.

UN Documents

Security Council Resolutions

- S/RES/1994 (30 June 2011) renewed UNDOF until 31 December 2011.
- S/RES/350 (31 May 1974) established UNDOF.
- S/RES/338 (22 October 1973) called for a ceasefire and comprehensive peace.
- S/RES/242 (22 November 1967) called for the withdrawal of Israeli forces from the occupied territories.

(Germany) as his Special Representative and head of UNAMI. On 8 October, Kobler arrived in Baghdad to take up his duties and met with Iraqi Foreign Minister Hoshiyar Zebari on 9 October. On 11 October, Kobler reiterated UNAMI's commitment to assisting Iraq in a meeting with President Jalal Talabani. On 16 October, Kobler expressed his gratitude to Iraqi Prime Minister Nuri Al-Maliki for the support provided to UNAMI.

The Department of Political Affairs included Iraq in its September monthly briefing by Under-Secretary-General, B. Lynn Pascoe, on new or ongoing issues of concern. Pascoe briefed the Council on the latest political developments, the appointment of Kobler as well as UNAMI's new security arrangements ahead of the withdrawal of the remaining US troops by the end of 2011.

On 23 September, President Talabani, in an address to the General Assembly, stressed that Iraq had succeeded in getting rid of sanctions and restrictions imposed as a consequence of the invasion of Kuwait by the Saddam Hussein regime. Talabani also said that Iraqi security forces had proved that they were capable of providing security.

In a letter addressed to the President of the Council dated 15 November, Hamid Al-Bayati, Permanent Representative of Iraq to the UN, reported that the Iraqi Government had implemented the recommendations contained in the Secretary-General's report of June 2011 by forming a committee to coordinate the efforts relating to Kuwaiti national archives. Moreover, the Ministry for Foreign Affairs of Iraq had informed the Kuwaiti Embassy in Baghdad of the existence of 136 microfilm cassettes including the official archives of Kuwait Today, the official Kuwaiti newspaper.

On 17 November, the 34th session of the Tripartite Commission, composed of representatives of Iraq, Kuwait and the 1990-1991 Coalition (the US, the UK, France and Saudi Arabia) was held in Geneva under the auspices of the International Committee of the Red Cross (ICRC). Members of the Tripartite Commission agreed to further improve the process of gathering information on the whereabouts of hundreds of missing people and to establish a firm plan

Security Council Presidential Statements

- S/PRST/2011/16 (3 August 2011) expressed concern over the deteriorating situation in Syria.
- S/PRST/2010/30 (22 December 2010) was the last statement following a renewal of UNDOF. No presidential statement was adopted following the June 2011 renewal for the first time since 1976.

Security Council Press Statement

- SC/10448 (15 November 2011) and SC/10321 (12 July 2011) condemned attacks against diplomatic premises in Syria.

Security Council Letter

- S/2011/375 (20 June 2011) was from Syria expressing concern that the June 2011 UNDOF report referenced the internal Syrian situation.

Security Council Meeting Records

- S/PV.6662 (21 November 2011) was the regular monthly briefing on the Middle East.
- S/PV.6650 and res. 1 (9 November 2011) was an open debate on protection of civilians.
- S/PV.6627 (4 October 2011) was the veto of the draft resolution on Syria (S/2011/612) by Russia and China.
- S/PV.6598 (3 August 2011) was a debate on the Syrian situation.
- S/PV.6572 (30 June 2011) was the most recent UNDOF renewal.

Secretary-General's Report

- S/2011/748 (30 November 2011) was the most recent UNDOF report.

General Assembly

- GA/SHC/4033 (22 November 2011) was a press release on the adoption of a resolution by the General Assembly's Third Committee condemning human rights violations in Syria.

Human Rights Council

- A/HRC/S-17/2/Add.1 (23 November 2011) was the report of the commission of inquiry as requested in August.
- A/HRC/RES/S-17/1 (23 August 2011) requested an independent international commission of inquiry to investigate all alleged violations of international human rights law since March 2011.
- A/HRC/18/53 (15 September 2011) was the follow-up report of the fact-finding mission requested in April.
- A/HRC/RES/S-16/1 (29 April 2011)

requested a fact-finding mission to Syria.

Other Relevant Facts

UNDOF Force Commander

Maj. Gen. Natalio C. Ecarma (Philippines)

Size and Composition of Mission (31 October 2011)

- 1,040 troops assisted by 76 military observers of the UN Truce Supervision Organisation's Observer Group Golan
- *Troop contributors:* Austria, Canada, Croatia, India, Japan and the Philippines

Approved Budget

1 July 2011 to 30 June 2012: \$50.5 million (A/C.5/65/19)

Iraq

Expected Council Action

A briefing by Martin Kobler, Special Representative and head of the UN Assistance Mission for Iraq (UNAMI) is envisaged in December.

The funding for the activities of Gennady Tarasov, the high-level coordinator who advises the Security Council on the Iraq-Kuwait missing persons and property issue, is due to expire by the end of December. It is expected that the Council will receive a report on the issue and a briefing from the high-level coordinator. The Council is likely to extend the coordinator's activities before the end of the month through a press statement.

The mandate of UNAMI expires on 31 July 2012.

Key Recent Developments

At press time, the Council was due to receive the Secretary-General's regular report on UNAMI.

On 19 July, Special Representative of the Secretary-General and head of UNAMI, Ad Melkert, (whose term ended in August) told the Council in a briefing that there were grounds for "cautious optimism" should a determined Iraqi leadership and a stronger regional cooperation with Iraq prevail. On 28 July, the Council unanimously agreed to extend UNAMI's mandate for another year. The resolution also called on Iraq to continue its ongoing cooperation with Kuwait and meet its outstanding international obligations on that issue.

On 4 August, the Secretary-General announced his intention to appoint Kobler

of action for future excavations in both Iraq and Kuwait. (The Tripartite Commission and its Technical Sub-Committee were established under the auspices of the ICRC in 1991 and 1994 respectively. Their role is to ascertain the fate of missing military and civilian personnel of the 1990-1991 Gulf War.)

The UN Compensation Commission (UNCC) approved the payment of \$1,038,375,281 to Kuwait for distribution to eight successful candidates. To date, the UNCC has made available \$34.3 billion.

Violent incidents continued to occur during the past months. On 27 July, Melkert, during an interview with the UN radio in New York, said that the security situation in Iraq remained unpredictable and that for many Iraqis life was still very troublesome. On 15 August, a series of bombings reportedly killed 80 people and wounded up to 300 others. On 18 August, the Council issued a press statement strongly condemning these bombings. On 25 September, the acting head of UNAMI and Deputy Special Representative, Jerzy Skuratowicz, strongly condemned the terrorist attacks that reportedly killed 15 people and injured more than 100 in Kerbala earlier that day.

On 21 October, US President Barack Obama announced that all US troops would be withdrawn by the end of the year, as established by the Status of Forces Agreement approved by the Iraqi parliament and the Bush Administration in late 2008.

On 19 October, Turkish forces launched air and ground operations in Iraq's northern Qandil mountains to retaliate against an earlier attack by the Kurdistan Workers' Party (PKK) that reportedly killed 26 of its soldiers.

Human Rights-Related Developments

On 8 August, a joint UNAMI-Office of the UN High Commissioner for Human Rights report noted that "the human rights situation throughout Iraq remains fragile." On 12 September, the UN Educational, Scientific and Cultural Organization Director-General, Irina Bokova, called for an investigation into the killing of Hadi Al-Mahdi, an outspoken radio journalist in Iraq. Al-Mahdi's body was found on 8 September after he was shot in his home in Baghdad.

Key Issues

A key issue for the Council will be to revisit the issue of security provision for UNAMI personnel, especially in light of the potential effect that the US military withdrawal may have on the dynamics on the ground.

Another key issue for the Council is assessing the level of contribution that UNAMI makes to the stability of Iraq and whether UNAMI's composition ought to be modified in order to better address the challenges it faces.

An additional key issue before the Council is whether an extension of the high-level coordinator's activities would help resolve the issue of missing Kuwaiti persons and property.

Underlying Problems

Significant sectarian and political divisions continue to adversely affect Iraq. In addition, key ministerial posts such as that of defence and interior have been unfilled for months and different political blocs remain divided over power sharing.

Options

One option for the Council is to simply receive the briefings on UNAMI and the Iraq/Kuwait issues.

- Regarding UNAMI, another option would be issuing a presidential or press statement that could include all or some of the following elements:
- acknowledgement of the increasing security needs of UNAMI (and the related increased cost) and the persistent violence impacting on Iraqi civilians with some reference to the protection of civilians; and
- urging Iraq to finalise its government formation by filling all vacant ministerial posts;
- on Iraq/Kuwait issues the Council could issue a press or presidential statement:
- reiterating the importance for Iraq to make progress on resolving outstanding issues related to Kuwait (including borders, missing persons and property);
- extending the activities of the high-level coordinator for an additional six months or longer; and
- reaffirming previously agreed language and reiterating the need to resolve outstanding issues between Iraq and Kuwait before the removal of any further Chapter VII measures imposed during the regime of Saddam Hussein.

Council and Wider Dynamics

Council members remain concerned about the overall security situation in the country,

as well as the significant social unrest over the provision of government services that has been apparent during the last several months. Members are also aware of UNAMI's expanding security needs in light of the US withdrawal.

Many Council members feel that it is important for Iraq to make further efforts to fulfil its obligations to Kuwait.

The US is the lead country on Iraq issues in general, and the UK is the lead on Iraq/Kuwait issues.

UN Documents

Security Council Resolution

- S/RES/2001 (28 July 2011) extended UNAMI's mandate until 31 July 2012.

Secretary-General's Report

- S/2011/435 (7 July 2011) was the latest UNAMI report.

Letters

- S/2011/721 (15 November 2011) was from Al-Bayati to the President of the Council updating him on the formation of an Iraqi coordinating committee to deal with Kuwaiti national archives.
- S/2011/503 (8 August 2011) and S/2011/502 (4 August 2011) was an exchange of letters between regarding the appointment of Martin Kobler as Special Representative and head of UNAMI.
- S/2011/478 and S/2011/477 (26 July 2011) was an exchange of letters regarding funding in support of Tarasov's activities.

Press Statements

- SC/10362 (18 August 2011) condemned terrorist attacks on 15 August in Iraq.
- SC/10289 (22 June 2011) expressed the Council's intention to continue funding for the activities of the high-level coordinator for missing Kuwaiti persons and property.

Other

- S/AC.51/2011/6 (3 October 2011) was the Working Group on Children and Armed Conflict's report stating conclusions on children and armed conflict in Iraq.

Other Relevant Facts

Special Representative of the Secretary-General in Iraq

Martin Kobler (Germany)

Iran

Expected Council Action

Ambassador Néstor Osorio (Colombia), chair of the Iran Sanctions Committee (1737 Committee), is expected to provide the Council in December with a regularly scheduled 90-day briefing. The briefing is likely to be routine; the floor will then be opened to other Council members.

Resolution 1984 of 9 June extended the mandate of the 1737 Committee's panel of experts for a further year. It requested that the panel submit a midterm report (which has already been sent to the Committee) to the Council by 9 December. No Council action is expected following the regular briefing.

Key Recent Developments

On 8 November, the IAEA Director General's most recent report on Iran's nuclear programme ("Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions") became publicly available. The IAEA Board of Governors discussed the report in Vienna on 17-18 November.

The IAEA's previous report of 2 September had noted that Iran continued to not implement a number of its obligations under the Safeguards Agreement and was not providing the necessary cooperation with the IAEA. The latest report went further and catalogued evidence indicating that there was a "credible" case that Iran had "carried out activities relevant to the development of a nuclear explosive device." While the report did not categorically state that Iran was developing nuclear weapons, it said it had "serious concerns regarding possible military dimensions to Iran's nuclear programme."

The report includes a 12-page annex documenting evidence from "a wide variety of independent sources", including ten member states as well as the IAEA's own investigators. The report says that the IAEA had obtained information indicating that Iran:

- conducted computer modelling studies of nuclear explosions in 2008 and 2009;
- built a large containment vessel, beginning in 2000, at the Parchin military complex in

which to conduct hydrodynamic experiments with high explosives and nuclear material, which are "strong indicators of possible weapon development";

- was working on a project to secure a source of uranium "suitable for use in an undisclosed enrichment programme";
- had been provided with nuclear explosive design information more advanced than previously identified;
- conducted computer modelling studies of designs for a missile warhead; and
- had developed fast-acting detonators, an integral part of a programme to develop an implosion-type nuclear device, whose civilian or conventional military applications were limited.

At the IAEA Board of Governors meeting in Vienna on 17 November, the five states that are permanent Council members, along with Germany (which together comprise the "E3+3" lead group on Iran), agreed on a draft resolution about Iran's nuclear programme. The resolution, which was described as a compromise text between western states and Russia and China, was adopted by the 35-member board on 18 November (with only Cuba and Ecuador voting against and Indonesia abstaining). The resolution expressed "deep and increasing concern about the unresolved issues regarding the Iranian nuclear programme, including those which need to be clarified to exclude the existence of possible military dimensions." It also urged Iran "once again to comply fully and without delay with its obligations under relevant resolutions" of the Council. The text requested that the Director General include an assessment of the implementation of the resolution in his progress report to the March 2012 meeting of the Board.

On 2 November, IAEA Director General Yukiya Amano wrote to the president of Iran's Atomic Energy Organisation proposing to send a high-level team to Iran to clarify the issues outlined in the most recent report.

Iran has repeatedly said that its nuclear programme is for the peaceful purpose of providing energy. In a letter following the report's publication, Iran's ambassador to the IAEA said that the Director General should not politicise the "technical organisation" by bias and a selective approach. Iran also called the IAEA's report "unprofessional, unbalanced" and "illegal".

In other developments, on 11 October the US permanent representative wrote to the Secretary-General bringing his attention

to an attempted assassination plot that the US said constituted a serious threat to international peace and security. The letter stated that the US had recently disrupted a conspiracy to assassinate the Saudi ambassador to the US and carry out follow-on attacks, which were "conceived, sponsored and directed by elements of the government of Iran." One of the suspects in the alleged plot, a dual US-Iranian citizen, is in US custody and has pleaded not guilty; the other remains at large.

On 18 November, the General Assembly passed a resolution deploring the alleged plot to kill the Saudi ambassador (106 votes in favour, 9 against and 40 abstentions).

In its own written response to the allegations in a letter to the Secretary-General of 11 October, Iran denied any involvement in the alleged attack and rejected the allegations, citing a lack of evidence.

On 21 November, the US, the UK and Canada announced that they would impose new sanctions on Iran, targeting its petrochemical, oil and gas industries. In announcing the new sanctions, US President Barack Obama said that the US was also designating 11 individuals and entities for their role in assisting Iran's nuclear programme. The US also identified Iran as a jurisdiction of "primary money laundering concern". Without formally sanctioning it, the US for the first time also identified the country's entire banking sector, including the Central Bank of Iran, as a "threat to governments or financial institutions that do business" with it. (Following an agreement on 22 November, EU foreign ministers were expected to formally approve sanctions on 1 December on approximately 200 Iranian firms, individuals and organisations.)

Also on 21 November, the General Assembly's Third Committee approved a draft resolution expressing deep concern at serious recurring human rights violations in Iran. The draft text, which is expected to be formally adopted by the General Assembly in December, was approved by a vote of 86 in favour to 32 against, with 59 abstentions. The draft "country-specific" resolution on Iran, which has been sponsored annually by Canada since 2003,

received six more votes in favour than in 2010 and eight fewer against.

On 29 November, the UK Embassy in Tehran was attacked by protesters resulting in serious damage; another UK diplomatic compound in northern Tehran—known as Qolhak Garden—was also damaged. In a press statement issued later in the same day (SC/10463), the President of the Council condemned the attacks “in the strongest terms”. On 30 November, UK Foreign Secretary William Hague announced that the government had closed its Embassy in Tehran. He said that Iran had been informed that the UK required the immediate closure of the Iranian Embassy and that all its diplomatic staff members must leave the UK within the next 48 hours.

Human Rights-Related Developments

On 19 October the new special rapporteur on the human rights situation in Iran, Ahmed Shaheed, briefed the Third Committee of the General Assembly on his efforts to establish a dialogue with the country. Noting that the Iranian authorities had not yet agreed for him to visit, Shaheed remarked that engagement by Iran could serve to lessen the potential for politicisation about which the government had repeatedly complained. “However,” he added, “insufficient cooperation will only continue to heighten the concern of the international community and will reduce the potential for a positive and constructive dialogue” on human rights issues.

On 2 November, the UN’s Human Rights Committee, in its concluding observations on the third periodic report of Iran, said that the government should establish a full, impartial and independent investigation into allegations of killings, torture and other ill-treatment during and following the 12 June 2009 presidential elections and prosecute those officials found responsible. The Committee added that Iran should ensure that an inquiry was opened in each case of alleged torture and cruel, inhuman or degrading treatment in detention facilities, that effective reparation was granted to every victim, that no one was coerced into testifying against him-or herself or into confessing guilt and that no such “confession” was accepted as evidence in court.

Key Issues

The core issue for the Council is how to most effectively address Iran’s continuing refusal to implement its obligations under previous Council resolutions and ensure cooperation with the IAEA. An important issue for the Council is whether taking further action against Iran is likely to encourage engagement or whether further attempts at dialogue with Tehran would be more likely to result in the desired cooperation.

Options

One option for the Council would be to impose further sanctions on Iran. But that option has been dismissed by Russia and China. (The Council has adopted four sets of measures sanctioning Iran: resolutions 1737 [2006], 1747 [2007], 1803 [2008] and 1929 [2010]. Resolution 1929, of 9 June 2010, expanded the arms embargo and tightened restrictions against Iran. The Council took several months to negotiate the text, and it was ultimately approved by a vote of 12 in favour to two against—Brazil and Turkey—with one abstention—Lebanon.)

Another option for the Council would be waiting until the IAEA’s Director General is next due to provide a progress report on Iran before considering further action.

A further option would be to request the Committee to make additional designations of individuals or entities to be subject to the sanctions regime.

Council Dynamics

Several Council members, as with many in the international community, continue to have grave suspicions about Tehran’s nuclear programme and distrust its intentions. Reactions to the publication of the IAEA’s report on 8 November, however, highlighted the divergent views in the Council on addressing Iran’s continuing nuclear programme. While there seems to be consensus in the Council that Iran’s cooperation with the IAEA is insufficient and there is concern over its development of a possible nuclear weapons programme, some Council members consider imposing further sanctions on Iran unhelpful. China and Russia have emphasised the need for further diplomatic engagement.

In response to the IAEA’s report, France, Germany and the US called for stronger sanctions against Iran, and the UK said that if Tehran did not enter serious negotiations on its programme then additional measures, including sanctions against Iran’s

financial and oil and gas sectors, should be considered. On the other hand, Russia and China responded to the IAEA report by saying that they would oppose attempts to impose further sanctions on Iran in the Council. Russia indicated that additional sanctions would be seen in the international community as an “instrument for regime change in Iran”, while China said that the IAEA should be more “objective”.

UN Documents

Security Council Resolutions

- S/RES/1984 (9 June 2011) extended the mandate of the panel of experts that supports the Iran Sanctions Committee for one year.
- S/RES/1929 (9 June 2010) imposed a fourth round of sanctions on Iran.
- S/RES/1887 (24 September 2009) reaffirmed previous resolutions related to Iran’s nuclear activities.
- S/RES/1835 (27 September 2008) reaffirmed commitment to a negotiated solution within the E3+3 dual-track framework and called upon Iran to comply with previous Council resolutions.
- S/RES/1803 (3 March 2008) reiterated existing measures against Iran and imposed additional ones.
- S/RES/1747 (24 March 2007) established a ban on Iran’s arms exports and added names to the list of people and entities subject to assets freeze.
- S/RES/1737 (23 December 2006) banned trade with Iran of certain items related to nuclear activities and weapon-delivery systems, imposed an asset freeze on certain persons and entities and established a sanctions committee.

Latest IAEA Reports

- GOV/2011/65 (8 November 2011)
- GOV/2011/54 (2 September 2011)

Latest IAEA Resolution

- GOV/2011/69 (18 November 2011)

Afghanistan

Expected Council Action

The Council is expected to receive a briefing from Staffan de Mistura, the Head of UN Assistance Mission in Afghanistan (UNAMA), on the Secretary-General’s quarterly report on UNAMA and hold a debate on Afghanistan. No outcome is anticipated. (While resolution 1974 requests the Secretary-General to “conduct a comprehensive review of UNAMA’s mandated

activities and the United Nations' support in Afghanistan" by the end of 2011, it appears that this review will be completed in early 2012, closer to the time that the Council considers renewing the mission's mandate, which expires on 23 March 2012.)

Key Recent Developments

The security situation throughout Afghanistan remained volatile in recent weeks. Several attacks resulted in high numbers of civilian casualties. On 31 October, insurgents launched an attack on a facility of the UN High Commissioner for Refugees (UNHCR) in Kandahar, claiming the lives of three UN security guards and two security contractors. On 6 November, a suicide bomber, reportedly from the Taliban, killed eight people exiting a mosque in northern Afghanistan's Baghlan province, including five civilians and three commanders from the anti-Taliban *arbakai* militias, who appear to have been targeted by the bomber. On 8 November, insurgents detonated a roadside bomb in western Afghanistan in Badghis province, killing 11 people, including six children, and wounding three traveling in a police truck. It appears that the bomb's intended target was the police; however, only two of the 11 killed were police. (The 6 and 8 November attacks occurred despite a 4 November statement from Taliban leader Mullah Omar marking the Islamic Eid holiday, in which he called on his followers to take care not to harm civilians.) Also on 8 November, NATO and Afghan forces killed approximately 70 insurgents who had attacked military bases in the Barmal district of Paktika province in eastern Afghanistan. NATO helicopter strikes targeting Taliban planting roadside bombs in Kandahar province resulted in the deaths of two insurgents and six children on 23 November.

On 26 November, NATO aircraft reportedly providing close air support to ground troops engaged in combat with insurgents bombed two Pakistani military bases in the Mohmand region along the northwest border with Afghanistan. A high-level investigation has been planned by NATO to determine the causes of the strikes, which resulted in the deaths of 24 Pakistani soldiers, and to help prevent similar incidents from occurring in the future. In response to the cross-border incident, Pakistan has closed two NATO supply routes into Afghanistan, including one through which NATO obtains approximately 40 percent of its supplies in Afghanistan. Pakistan also requested that within 15

days the US Central Intelligence Agency stop drone attacks into Afghanistan from the Shamsi air base in Pakistan.

On 2 November, Afghanistan and Turkey hosted a high-level conference in Istanbul to discuss strategies for promoting security and cooperation in Afghanistan and the neighbouring region. Among the participants were representatives of 12 states that are near Afghanistan and multilateral organisations including the EU, NATO, and the UN. A document, referred to as the Istanbul Protocol, was agreed at the conference in which participants, *inter-alia*:

- expressed support for the national reconciliation process in Afghanistan;
- reiterated their determination to help Afghanistan to combat terrorism;
- expressed their commitment to cooperate with Afghanistan and regional and international actors to counter the illegal production, consumption and trade of drugs; and
- delineated various ways to promote educational, cultural and economic progress in Afghanistan and the region.

Participants at the Istanbul conference also agreed to hold a follow-up meeting in June 2012 in Kabul at the ministerial level.

On 15 November, the International Contact Group on Afghanistan met in Astana, Kazakhstan. Thirty-nine countries—as well as regional bodies such as the EU, NATO and the Organisation of Islamic Cooperation—attended the meeting and discussed preparations for the Bonn Conference, which is scheduled for 5 December and will focus on international political and economic engagement in Afghanistan, both after 2014, the currently projected date for the withdrawal of foreign troops, and during the transition period preceding it.

Afghan President, Hamid Karzai, convened a *loya jirga*, a gathering of tribal and community leaders, in Kabul from 16 to 20 November. During the *jirga*, Karzai discussed negotiations with the US on security arrangements moving forward. He said that a strategic partnership with the US could include some form of US military presence in Afghanistan after 2014, although the nature and extent of this presence is still under negotiation. Karzai also strongly asserted Afghanistan's sovereignty, saying that night time raids by NATO needed to end and that control of detention centres should be transferred to Afghan authorities. At the conclusion of the *jirga*, the approximately 2,000 participants adopted a resolution endorsing Karzai's efforts to



negotiate a military role for the US in Afghanistan after 2014, as well as his demands for an end to night time raids and foreign control of detention centres. The resolution also supported efforts to engage insurgents in peace talks. In response to the resolution, Zabiullah Mujahid, a Taliban spokesman, reiterated Taliban demands that foreign militaries leave Afghanistan and called the participants in the *jirga* "servants of the invaders of our country".

On 27 November, Karzai announced the "second tranche" of areas where security will be transferred to Afghan forces from NATO, primarily in the west and north of the country. It is anticipated that the transfer, which is expected to cover areas possessing approximately half of Afghanistan's population, will occur in early 2012.

Human Rights-Related Developments

Addressing the Council on 9 November during the open debate on the protection of civilians in armed conflict, UN High Commissioner for Human Rights Navi Pillay said she was concerned that the number of civilians killed in Afghanistan was increasing in a climate characterised by a lack of accountability for serious violations of international law. Pillay said that in the first half of 2011, UNAMA's Human Rights Unit tracked a 15 percent increase in conflict-related civilian deaths, 80 percent of which was attributed to anti-government forces. Pillay also drew the Council's attention to a report by the human rights unit documenting the systematic torture of suspected insurgents in many National Security Directorate and police detention facilities.

Key Issues

One key issue is how to generate momentum in support of the Afghan-based reconciliation process, which suffered a setback as a result of the assassination of former President Burhanuddin Rabbani in September.

A related issue is whether insurgent attacks leading to civilian casualties following Omar's admonition against harming

civilians signals increased fragmentation within the Taliban and what that might mean for the national reconciliation process moving forward.

A further key issue is how well Afghan security forces will perform as International Security Assistance Force (ISAF) countries draw down their troop levels and Afghanistan assumes greater responsibility for its own security.

An important issue is whether the discussions at the Istanbul Conference and the resulting protocol can provide a springboard for enhanced cooperation and coordination among Afghanistan and regional actors in addressing relevant security, political, economic and other issues.

Another key issue is what actions the Afghan government will take in response to two recent UNAMA reports produced in conjunction with the Office of the High Commissioner for Human Rights:

- the October report, “Treatment of Conflict-Related Detainees in Afghan Custody”, documenting detailed evidence of torture and abuse of detainees by the Afghan National Police and the National Directorate of Security in numerous detention facilities across Afghanistan; and
- the November report, “A Long Way to Go: Implementation of the Elimination of Violence against Women Law in Afghanistan”, which argues that the August 2009 law regarding the elimination of violence against women has not been widely applied.

A related issue is whether and how the Council will address the human rights violations raised in the report.

Options

Options for the Council include:

- taking no action at the current time;
- adopting a statement that expresses concern about the recent violence and reiterates support for the national reconciliation process;
- incorporating in the statement language that calls on the Afghanistan government to strengthen human rights standards in the treatment of detainees and emphasises the need to make progress in applying the law on the elimination of violence against women, in light of the findings of the recent UNAMA reports; and
- adding in a statement language welcoming the Istanbul Protocol and encouraging enhanced regional cooperation on the

challenges facing Afghanistan and the broader region.

Council Dynamics

There is general agreement in the Council on the importance of helping Afghanistan to promote national reconciliation, security and economic growth. Several Council members have noted that it is important during the security transition period for Afghanistan to strengthen its institutional capacity, notably with respect to security, governance and the rule of law.

In spite of agreement on many issues, different Council members tend to emphasise different challenges facing Afghanistan and the broader region. For example, Russia has underscored the threat to international peace and security posed by drug production and trafficking from Afghanistan, while India has expressed the perspective that the drawdown of foreign troops should not be linked to a strict timetable but rather should be determined by the situation on the ground.

Pakistan’s entrance into the Council in 2012 will add the perspective of another influential regional actor—in addition to China, Russia and India—to the Council’s deliberations on Afghanistan.

Germany is the lead country on Afghanistan.

UN Documents

Security Council Resolutions

- S/RES/1974 (22 March 2011) renewed UNAMA’s mandate until 23 March 2012.
- S/RES/1943 (13 October 2010) extended ISAF’s mandate until 13 October 2011.
- S/RES/1401 (28 March 2002) created UNAMA.

Latest Secretary-General’s Report

- S/2011/590 (21 September 2011)

Other

- A/RES/66/13 (21 November 2011) was the most recent General Assembly resolution on Afghanistan.
- S/PV.6625 (29 September 2011) is the record of the September debate on Afghanistan.

Other Relevant Facts

Special Representative of the Secretary-General and UNAMA’s Head of Mission

Staffan de Mistura (Sweden)

UNAMA: Size, Composition and Duration

Strength (as of 31 October 2011): 415

international civilians, 1,672 local civilians, 12 military observers, 3 police, 76 UN volunteers

Duration: 28 March 2002 to present; mandate expires on 23 March 2012

ISAF Military Commander

Gen. John R. Allen (US)

Senior Civilian Representative

Ambassador Simon Gass (UK)

ISAF: Size, Composition and Duration

Total strength (as of 18 October 2011): about 130,638 troops; 28 Provincial Reconstruction Teams

Contributors of military personnel:

48 NATO and non-NATO countries

Current top contributors: US, UK, Germany, France and Italy

Duration: 20 December 2001 to present; mandate expires on 13 October 2012

Cyprus

Expected Council Action

In December, the Council is expected to renew the mandate of the UN Peacekeeping Force in Cyprus (UNFICYP) for another six months. The Secretary-General is due to submit a report by 1 December and a briefing by the Special Representative of the Secretary-General and Head of Mission, Lisa Bittenheim, is expected before the renewal of the mandate. It appears unlikely that the Council’s decision will differ significantly from resolution 1986, which was the last mandate renewal. UNFICYP’s current mandate expires on 15 December.

A new report on the good offices mission of the Secretary-General to Cyprus is not expected until after a new round of tripartite talks between the Greek Cypriot and Turkish Cypriot leaders and the Secretary-General scheduled for January, but the report on UNFICYP is likely to mention similar talks that occurred in October. The last report of the Secretary-General on his mission of good offices was submitted on 8 August.

Key Recent Developments

In resolution 1986 adopted on 13 June, the Council reiterated its call for the Greek Cypriot and Turkish Cypriot leaders to “intensify the momentum of negotiations” and “improve the public atmosphere in which the negotiations are proceeding.”

On 7 July, in Geneva, the Secretary-General held another meeting with the Greek Cypriot President, Dimitris

Christofias, and the Turkish Cypriot leader, Dervis Eroglu. (This was the Secretary-General's third such meeting since November 2010.) He reported after the meeting that he had discussed with the leaders the need to significantly intensify the negotiations and had offered enhanced UN involvement. He described the atmosphere as "quite positive".

In his August report to the Council on the status of negotiations, the Secretary-General indicated that "time was not on the side of a settlement" and that Cypriots on both sides were losing faith in the process. He also expressed concern that "the talks were beginning to drift" and described progress as "sluggish". Overall, the report conveyed a sense of urgency and underlined the need for the leaders of the two sides to reach a solution soon. The Secretary-General's Special Adviser on Cyprus, Alexander Downer, briefed Council members on the report in informal consultations on 7 September.

On 30 and 31 October, the Secretary-General held another meeting with Christofias and Eroglu at the Greentree Estate in Manhasset outside New York. There were substantive discussions on four core issues: governance and power-sharing, in particular focusing on the issue of the executive (i.e. the presidency); property; territory; and citizenship. (The talks focus on seven main issues; substantive convergence has so far been reported on EU matters, the economy and internal aspects of security.)

The Secretary-General described the talks as "positive, productive and vigorous," and expressed confidence that a settlement could be achieved. He said he had invited the two leaders to meet with him again in January and by then expected all "internal aspects" of the Cyprus problem to be resolved. This should be followed by a multilateral conference shortly thereafter. Downer briefed Council members on the Manhasset meeting in informal consultations on 4 November.

On 16 November, Buttenheim announced that Christofias and Eroglu had agreed on a schedule of meetings leading up to the January meeting with the Secretary-General. She said the two leaders planned to meet roughly once a week, and in some cases might meet twice. Buttenheim also said the UN would hold discussions with the leaders separately as this was a formula they had found to be useful at the October meeting in Manhasset.

On 15 November, US company Noble Energy announced that exploratory drilling had found that the coastal waters of Cyprus could yield 3 to 9 trillion cubic feet of natural gas. Turkey has indicated that continued exploration by Cyprus could harm reunification talks, while Christofias has argued it could be an incentive as revenues from the find would be shared by both sides in a reunified Cyprus.

Cyprus will serve as the president of the EU in the second half of 2012.

Key Issues

The main issue for the Council in December is the renewal of UNFICYP's mandate and how, if at all, the status of the reunification talks should impact the reconfiguration of the mission and its eventual exit strategy.

A related issue is how the Council can most effectively promote speedier and more substantive progress in the negotiations.

Options

Main options for the Council include:

- renewing the mandate of UNFICYP at its current configuration for another six months;
- including new language reflecting the outcome of the talks held in October to encourage progress in the negotiations leading up to the meeting with the Secretary-General scheduled for January; or
- including additional language to increase the sense of urgency surrounding the issue by emphasising that the process cannot be indefinite, renewing the mandate for only three months and establishing the January tripartite meeting and the report thereon as an important benchmark for the re-consideration of further UN involvement.

Council Dynamics

Only a few key Council members seem to follow the Cyprus issue with any close interest. Among these, there continues to be a split between those leaning towards the Greek Cypriots, such as Russia and to some extent France, and those, including the UK, more sympathetic to the Turkish Cypriot side.

While Council members seem to agree that the next round of tripartite talks on Cyprus scheduled for January will be an important next step, views differ on the implications for UNFICYP and further UN involvement. In particular there are divisions over the quality and quantity of pressure that should be applied to both sides of the Cyprus dispute in the coming months.



(This has been an issue also in past UNFICYP negotiations.) There are also differences over the implications of a failure by the parties to make any substantive progress by January.

From certain quarters on the Council there is a sense that the talks in January will need to show true progress in order to warrant continued Council attention on Cyprus. Without such progress, according to this view, the discussion will need to focus on winding down UNFICYP and developing an exit strategy.

Other Council members, however, are adamantly against imposing any timeframe or timetable on the process currently underway or in any other way applying pressure to what are perceived to be delicate and sensitive negotiations. (This is also the Greek Cypriot position.) These members believe whatever action is taken in the Council must not damage the current process and that ultimately a solution on the island is the responsibility of the two sides involved. The Council, they argue, must be sensitive to this reality and act accordingly.

The UK has the lead on Cyprus in the Council. Draft resolutions on UNFICYP are normally agreed between the P5 before being presented to the ten elected Council members.

UN Documents

Security Council Resolution

- S/RES/1986 (13 June 2011) renewed UNFICYP's mandate until 15 December.

Secretary-General's Reports

- S/2011/498 (8 August 2011) was on the status of the reunification talks.
- S/2011/332 (31 May 2011) was the most recent UNFICYP report.
- S/2011/112 (4 March 2011) was on the good-offices mission in Cyprus.

Other Relevant Facts

Special Representative of the Secretary-General and Head of UNFICYP

Lisa M. Buttenheim (USA)

UNFICYP: Force Commander

Maj. Gen. Chao Liu (China)

UNFICYP: Size, Composition, Cost and Duration

Strength (as of 31 October 2011):

856 military personnel, 66 police, 41 international civilian personnel and 112 local civilian staff

Troop contributors: Argentina, Austria, Brazil, Canada, Chile, Croatia, Hungary, Paraguay, Peru, Serbia, Slovakia and the UK

Annual Budget: \$58 million

Duration: 4 March 1964 to present; mandate expires 15 December

Security Council Subsidiary Bodies

Expected Council Action

In December, the Council is expected to be briefed by the chairpersons of subsidiary bodies whose countries will be finishing their term on the Council.

Ambassador Ivan Barbalić (Bosnia and Herzegovina) will brief the Council on the working group on documentation and other procedural questions.

Ambassador Maria Luiza Ribeiro Viotti (Brazil) will brief the Council on the Council committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and the Council committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire.

Ambassador Noël Nelson Messone (Gabon) will brief the Council on the Council committee established pursuant to resolution 1636 (2005) concerning Lebanon.

Ambassador Nawaf Salam (Lebanon) will brief the Council on the Council committee established pursuant to resolution 1521 (2003) concerning Liberia.

Ambassador U. Joy Ogwu (Nigeria) will brief the Council on the Council committee established pursuant to resolution 1518 (2003) concerning Iraq and on the working group on peacekeeping.

The meeting may be followed by a press statement.

Council Dynamics

In an annual practice dating back to 2002, chairpersons of subsidiary bodies reflect, in their personal capacity, on the work of the subsidiary bodies that they have chaired. In the past, chairpersons have briefed the Council on the key developments and achievements of the subsidiary bodies in

the course of implementing their mandates. Chairpersons have also tried to assess the practical effects the regimes imposed by some subsidiary bodies may have had on the situations they were established to address. At times, some have taken the opportunity to assess the working methods and end products of the subsidiary bodies they chaired, as well as an assessment of their mandates and suggestions for their modification and improvement.

The briefing sessions have also provided a forum for the chairs to share with the Council forward-looking suggestions, based on conclusions drawn from their experience. Indeed, some have used the forum to make recommendations for adjusting the mandate and working methods of the subsidiary bodies they have chaired, as well as the resources allotted to the different bodies. Chairpersons have also stressed that these recommendations were aimed, in their own perspective, at enhancing the effectiveness and legitimacy of the Council's subsidiary bodies.

UN Documents

Security Council Meeting Records of Briefings by Outgoing Subsidiary Body Chairs

- S/PV.6457 (20 December 2010)
- S/PV.6238 (14 December 2009)
- S/PV.6043 (15 December 2008)
- S/PV.5806 (17 December 2007)
- S/PV.5601 (20 December 2006)
- S/PV.5332 (19 December 2005)
- S/PV.5106 (22 December 2004)
- S/PV.4888 (22 December 2003)
- S/PV.4673 (18 December 2002)

International Criminal Tribunals

Expected Council Action

In December the presidents and prosecutors of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) are expected to brief the Council.

If the tribunals' presidents submit technical requests relating to the extension of judges' mandates, the Council might adopt a resolution for each tribunal responding to the requests. Currently, a resolution is expected on the extension of ICTR judges terms.

The working group on international tribunals may also hear a briefing from the presidents and prosecutors prior to their

appearance in the Council and continue to discuss practical arrangements for the International Residual Mechanism for Criminal Tribunals.

Key Recent Developments

On 7 September, the Secretary-General requested that the Council reappoint the current ICTR prosecutor, Hassan Bubacar Jallow, to a new four-year term in accordance with the tribunals' statutes. A similar letter requesting the reappointment of Serge Brammertz as prosecutor of the ICTY was sent to the Council on 13 September.

On 14 September, the Council adopted resolution 2006, reappointing Jallow as ICTR prosecutor for a new term with effect from 15 September until no later than 31 December 2014. On the same day, the Council adopted resolution 2007, reappointing Brammertz as ICTY prosecutor for a new term with effect from 1 January 2012 until no later than 31 December 2014. Both resolutions appointed the prosecutors for three-year terms, notwithstanding the four-year term stipulated in both tribunals' statutes, thus creating an exception to the statutes. (Resolution 1966 set out 31 December 2014 as the day for the tribunals to complete their work.)

On 11 November, the two presidents of the tribunals presented their annual reports to the General Assembly. ICTY President Patrick Robinson told the Assembly that staff attrition was hampering the ability of the tribunal to complete its work. In particular, he suggested that in order to replace critical staff, the tribunal be given a waiver from UN regulations that stipulate that interns must wait six months after the completion of their posts before applying for professional posts at the tribunal.

ICTR President Khalida Rachid Khan spoke of similar concerns and stressed that nine fugitives remain at large. She called on all states, especially in the Great Lakes region and Kenya in particular, to intensify their cooperation with the ICTR in apprehending the fugitives.

At press time, Council members have received advanced copies of the latest ICTY and ICTR reports. The ICTY report elaborates on the current status of pending cases and their estimated end dates. It stipulates that some appeals are not likely to be concluded by 31 December 2014. The report also elaborates on the office of the prosecutor's efforts to support its regional counterparts in taking over responsibility for prosecuting war crimes cases. It expresses

concern about the level of effective inter-state cooperation in the region regarding prosecution of war crimes. The report highlights the case of Radovan Stanković, who escaped from prison in May 2007 while serving a 20-year prison sentence imposed by a court in Bosnia and Herzegovina. Notwithstanding the prosecutor's repeated requests, Bosnia and Herzegovina has not taken satisfactory measures to apprehend Stanković.

The ICTR report stipulates that despite continued staffing challenges, the Tribunal remains at or is close to completion of all trial work as projected by mid-2012. The last appeals heard by the Tribunal are expected to be delivered by 2014. The report stresses once again the lack of success in finding host countries for the five acquitted persons who remain in the safe houses in Arusha under the Tribunal's protection. As cooperation of UN member states with the Tribunal does not extend to the relocation of acquitted persons, the report requests the assistance of the Security Council in finding a sustainable solution to this issue.

On 20 October, the Secretary-General sent the Council a list of judicial nominees on the roster of the residual mechanism. On 16 November, the Council sent a letter to the General Assembly with 36 nominees. In accordance with the statute of the mechanism, the General Assembly will elect 25 judges to the roster.

The working group met on 13 September and 31 October to discuss the draft rules of procedure and evidence for the residual mechanism, prepared by the UN Office of Legal Affairs and jointly revised by the tribunals. During the 31 October meeting, Robert Young, the legal adviser of the ICRC, addressed the working group. Young requested that the rules of procedure include a rule on the confidentiality of documents and evidence obtained by the ICRC. According to the rule, such documents and evidence would not be subject to disclosure. Some Council members were supportive of the rule while others viewed it as inconsequential, as confidentiality is undisputedly accepted in the jurisprudence of both tribunals, despite its not being included in their rules of procedure.

On 17 November, Judge Theodor Meron succeeded Robinson as president of the ICTY for a two-year term. Having served as a judge at the ICTY since 2001, Meron was

previously ICTY President from March 2003 to November 2005.

Key Issues

The immediate issue for the Council will be the possible requests from the tribunals' presidents relating to the extension of judges' mandates and other procedural issues that may arise.

Another issue is the continuing work of the working group on tribunals on practical arrangements for the residual mechanism.

Options

Options for the Council include:

- adopting technical resolutions for each tribunal responding to possible requests submitted by the presidents; and
- laying out solutions or options the Secretariat should employ to address the staffing issues.

Council Dynamics

At press time, the Council had yet to receive requests from the tribunals to extend judges terms on the tribunals. Only if such requests are out of the ordinary, such as a request requiring an amendment to a tribunal's statute or creating an exception to it, will they require substantive discussion in the working group.

Council members submitted comments on the rules of procedure in writing and orally during the meeting of the working group. It is possible that the rules will be further discussed in the working group, possibly when it convenes to meet the presidents and prosecutors of the tribunals (this meeting is also an opportunity for the working group to address any procedural requests by the tribunals). The rules of procedure will then go back to the tribunals to be finalised. According to the statute of the residual mechanism, the Council may alter the final version of the rules of procedure if it so chooses. Based on the comments received so far, it seems unlikely that Council members will deem it necessary to take action to amend the final version of the rules of procedure when received.

UN Documents

Security Council Resolutions

- S/RES/2007 (14 September 2011) reappointed Brammertz as prosecutor of the ICTY.
- S/RES/2006 (14 September 2011) reappointed Jallow as prosecutor of the ICTR.
- S/RES/1966 (22 December 2010) established the residual mechanism.



Security Council Letters

- S/2011/716 (15 November 2011) transmitted the latest report of the ICTY to the Council.
- S/2011/659 (20 October 2011) was from the Secretary-General on the nominees for the judges' roster of the residual mechanism.
- S/2011/566 (13 September 2011) was from the Secretary-General to reappoint Brammertz as prosecutor of the ICTY.
- S/2011/561 (7 September 2011) was from the Secretary-General to reappoint Jallow as prosecutor of the ICTR.

Security Council Meetings

- S/PV.6613 (14 September 2011) was the meeting in which resolution 2007 was adopted.
- S/PV.6612 (14 September 2011) was the meeting in which resolution 2006 was adopted.
- S/PV.6545 (6 June 2011) was the latest Council briefing by the presidents and prosecutors of the ICTY and ICTR.

Other Documents

- S/2011/473 (31 July 2011) and S/2011/472 (29 July 2011) were the annual reports of the presidents of the ICTY and ICTR submitted to the Security Council and the General Assembly.
- S/2011/317 (12 May 2011) and S/2011/316 (12 May 2011) were the reports from the ICTR and ICTY, respectively, on implementation of their completion strategies.

Other Relevant Facts

ICTY

Two accused awaiting trial, 16 on trial and 20 at the appeals stage

ICTR

Nine accused at large, of which 3 are considered high-ranking
One accused awaiting trial, 5 on trial and 18 at the appeals stage

Notable Dates for December

Report Due	Reports for Consideration in December	Requesting Document
25 November	<i>SG report on UNAMI (Iraq)</i>	S/RES/2001
27 November	<i>SG report on UNISFA (Abyei)</i>	S/RES/1990
30 November	<i>SG report on BNUB (Burundi)</i>	S/RES/1959
30 November	<i>SG report on UNDOF (Golan Heights)</i>	S/RES/1994
1 December	<i>SG report on BINUCA (CAR)</i>	S/PRST/2010/26
1 December	<i>SG report on UNFICYP (Cyprus)</i>	S/RES/1986
1 December	<i>ICTR/ICTY annual reports and completion strategies</i>	S/RES/1534
		S/RES/1931
6 December	<i>SG report on Somalia</i>	S/RES/2010
9 December	<i>Iran Sanctions Committee Panel of Experts' mid-term report</i>	S/RES/1984
10 December	<i>Iraq/Kuwait missing persons and property report</i>	S/RES/1284
14 December	<i>SG report on UNAMA (Afghanistan)</i>	S/RES/1974
mid December	<i>Ad Hoc Working Group on Conflict Resolution in Africa annual report</i>	S/2010/654

Mandate Expiry in December 2011	Relevant Document
15 December	<i>UNFICYP (Cyprus)</i> S/RES/1986
16 December	<i>UNSMIL (Libya)</i> S/RES/2009
16 December	<i>Liberia Sanctions and Panel of Experts</i> S/RES/1961
27 December	<i>UNISFA (Abyei)</i> S/RES/1990
31 December	<i>BNUB (Burundi)</i> S/RES/1959
31 December	<i>UNDOF (Golan Heights)</i> S/RES/1994
31 December	<i>UNIOGBIS (Guinea-Bissau)</i> S/RES/1949
31 December	<i>BINUCA (CAR)</i> S/PRST/2010/26
31 December	<i>Ad Hoc Working Group on Conflict Resolution in Africa</i> S/2010/654

Other Important Dates in December 2011

5 December	<i>The Bonn Conference on Afghanistan is scheduled.</i>
end of December	<i>The funding for the activities of the High-Level Coordinator on Iraq-Kuwait missing persons and property is due to expire.</i>

Briefings are expected by:

- Under-Secretary-General for Peacekeeping Hervé Ladsous and possibly UNISFA head Lt. General Tadesse Werede Tesfay, on Sudan and South Sudan
- Prosecutor of the ICC, Luis Moreno Ocampo on Sudan/Darfur and Chair of the Sudan Sanctions Committee Ambassador Néstor Osorio (Colombia)
- Special Representative Ian Martin and Chair of the Libyan Sanctions Committee Ambassador José Filipe Morães Cabral (Portugal), on Libya
- Special Representative Staffan de Mistura, on Afghanistan
- Special Representative Margaret Vogt, on CAR
- Special Representative Lisa Buttenheim, on Cyprus
- Special Representative Martin Kobler, on Iraq and High-Level Coordinator Gennady Tarasov on Iraq/Kuwait
- Special Representative Karin Landgren and the Chair of the Burundi configuration of the PBC, Ambassador Paul Seger (Switzerland), on Burundi
- Special Representative Miroslav Jenca on UNRCCA
- Chair of the Iran Sanctions Committee Ambassador Néstor Osorio (Colombia)
- Chair of the Liberia Sanctions Committee Ambassador Nawaf Salam (Lebanon)
- The presidents and prosecutors of the ICTY and ICTR
- Chairpersons of subsidiary bodies whose countries are finishing their term on the Council
- Under-Secretary-General for Political Affairs B. Lynn Pascoe on the Middle East
- Assistant-Secretary-General for Peacekeeping Edmond Mulet, on UNDOF (Golan Heights)

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